

THE ENFORCEMENT OF THE STATUTES OF LABOURERS

During the First Decade after the Black Death
1349-1359

BY

BERTHA HAVEN PUTNAM, A. B.

Instructor in History at Mount Holyoke College

SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENTS

FOR THE DEGREE OF DOCTOR OF PHILOSOPHY

IN THE

FACULTY OF POLITICAL SCIENCE

COLUMBIA UNIVERSITY

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PREFACE

WHILE taking a course of lectures on the history of English Poor Law, given by Professor F. H. Giddings of Columbia University, I became interested in the law of parochial settlement and in its effect on the mobility of the working-man. My original purpose had been to give an account of its origin and development and of its final repeal during the era of the abolition of the Corn laws. Beginning with a study of the earliest instances of national legislation dealing with the labouring classes, I was, of course, led to consider the ordinance and the statute of labourers of 1349 and 1351, and found that although these measures and their consequences had been frequently discussed by economic historians, no detailed investigation had as yet been made of the methods and machinery by which they were enforced. This monograph presents the results of such an investigation, based chiefly on an examination of the manuscript sources in the Public Record Office, London.

I am indebted to many scholars both here and in England for valuable assistance on specific problems, and in the discussion of these problems I have sought to make clear my indebtedness. To others I am under still heavier obligations. My warm appreciation is due to my former teacher, Professor C. M. Andrews, once of Bryn Mawr, now of Johns Hopkins, who has given me freely of his time and has helped me with many suggestions. It is not easy adequately to express my gratitude to Mr. Hubert Hall, of the Public Record Office, for the generosity with which his

paleographical skill and scholarship have been placed at my service at every stage of my work—from the reading of my first manuscript to the collation of my final copy. For my transcripts of manuscript material I must thank several transcribers, but more especially Miss Mary Trice Martin; without her coöperation I could hardly have ventured on printing the appendix. In addition to making many of my transcripts, she has collated with the original manuscripts the typewritten copy of the text of all my documents and has verified all my references to manuscript sources.

For the arduous task of seeing this monograph through the press, my grateful acknowledgments must be made to Professor E. R. A. Seligman. My thanks are also due to Dr. Eugene E. Agger for correcting the English proof and to Mr. Otis Hill, Dr. Richard Riethmüller and Dr. Clarence Perkins for assistance in reading the Latin and French proof.

Through the courtesy of the editor and publishers of the *English Historical Review* I am enabled to make use of my article entitled "The Justices of Labourers in the Fourteenth Century," which appeared in July, 1906.

NEW YORK, September, 1908.

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CITATIONS IN FOOTNOTES.

Printed sources:

A. H. R.—American Historical Review.

E. H. R.—English Historical Review.

R. D. K.—Report of the Deputy Keeper.

Cal.—Calendar.

Rot. Parl.—Rotuli Parliamentorum.

Statutes—Statutes of the Realm.

Since the full titles and names of authors are given in the bibliography, in general only shortened forms are used in the notes, but it is hoped that the abbreviations are all obvious.

Manuscript sources, in Public Record Office unless otherwise indicated:

Claus.—Rotuli Literarum Clausarum.

Pat.—Rotuli Literarum Patencium.

Orig.—Originalia.

In each case the first numeral refers to the regnal year of Edw. III.

Mem. K. R.—Memoranda Roll of the King's Remembrancer.

Mem. L. T. R.—Memoranda Roll of the Lord Treasurer's Remembrancer.

The first numeral refers to the regnal year and is followed by the abbreviation for the law term, then by the sub-title and by the number of the membrane when the latter is given.

Law terms:

Hill.—Hilary.

Pasch.—Easter.

Trin.—Trinity.

Mich.—Michaelmas.

For the sub-titles the only abbreviations used are the following:

Breu. Baron.—Breuia directa baronibus.

Breu. Ret.—Breuia retornabilia.

Breu. Irret.—Breuia irretornabilia.

Plea Rolls:

De Banco—De Banco Rolls.

Coram Rege—Coram Rege Rolls.

The first numeral refers to the regnal year and is followed first by the law term, then by the number of the membrane, and lastly by the name of the county. In the Coram Rege Rolls, either "Rex" or the name of the chief justice has to be added just before the number of the membrane in order to distinguish between the two portions of the roll.

ERRATA.

- Page 3, note 2, line 5, *for* 89 93 *read* 89-93.
Page 30, note 1, line 2, *for* Ramsay *read* Ramsey.
Page 54, note 6, line 2, *for* 3157 *read* 1357.
Page 69, line 8, *for* snpersedeas *read* supersedeas.
Page 73, line 7 from bottom, *for* "or he *read* or " he.
Page 200, note 6, *for* pt. i, ch. i, s. 7, *read* pt. i, ch. ii, s. 7.
Page 41*, line 16, *add* manor of Kirton twice.
Page 58*, *for* Brughbrigg *read* Burghbrigg.
Page 66*, *for* Coluyll *read* Colvyll.
Page 140*, line 18, *for* 8 July / 30 *read* 26 March / 30.
Ibid., line 21, *for* 8 June / 30 *read* 8 July / 30.
Page 159*, line 7, *for* Iohanes *read* Iohannes.
Page 171*, last line, *for* Iohannes *read* Iohannes.
Page 191*, line 2 from bottom, *for* Thirty years *read* Thirty days.
Page 216*, line 23, *for* Iohannis *read* Iohannis.
Page 224*, line 2 from bottom, *for* Regeri *read* Rogeri.
Page 253*, last line, *for* Roberti *read* Roberto.
Page 302*, line 5, *for* attacheret *read* attachiaret.
Page 374*, line 3 from bottom, *for* adudicata *read* adiudicata.
Page 413*, throughout extract from *Novae Narrationes*, *for* v *read* u.
Page 416*, line 4, *for* three *read* two.
Page 425*, last line, *for* concordati *read* concordari.
Page 454*, line 6 from bottom, *for* ipsuis *read* ipsius.

INTRODUCTION

THE BLACK DEATH AND THE ENACTMENT OF THE ORDINANCE AND OF THE STATUTE OF LABOURERS

THE Black Death reached Dorsetshire in August, 1348,¹ and spreading first toward the west, and then toward the northeast, appeared in London by the end of September or the beginning of November;² it was at its height in Surrey and Hampshire during the following spring,³ and in the northern and eastern counties during the summer and early autumn,⁴ ending nearly everywhere in England by the last months of 1349.⁵ Estimates of the mortality during these fourteen or fifteen months vary from nine-tenths to one-fifth of the total population; a half is probably fairly near the truth,⁶

¹ Creighton, *Hist. of Epidemics*, i, 116; for discussion of the exact date, see Gasquet, *The Great Pestilence*, 71-74.

² Creighton, *loc. cit.* ³ Gasquet, *op. cit.*, 112-114. ⁴ *Ibid.*, 67, 128.

⁵ Creighton, *op. cit.*, i, 177, gives Michaelmas, 1349, as the latest date, but Gasquet, *op. cit.*, 160, quotes an instance in the north as late as the spring of 1350.

⁶ *Eulogium Historiarum*, iii, 213, one-fifth; Le Baker, *Chronicon*, 99, nine-tenths; Rogers, *Work and Wages*, 223, a third; Jessopp, *The Coming of the Friars*, 205-206, a half in East Anglia; Creighton, *op. cit.*, i, 123-139, gives various estimates for specific localities; Gasquet, *op. cit.*, 194-195, inclines to a half; Cunningham, *Growth of Eng. Industry and Commerce*, i, 329-336, in a summary of the effects of the plague and of the statutes of labourers, inclines to the theory of "nearly a half." For an accurate estimate in one district, cf. Little, "Black Death in Lancashire," in *E. H. R.*, v. These modern calculations are based largely on records of presentations to livings and on the evidence furnished by manorial court rolls. The sources examined for this monograph contain much information both direct and indirect as to the devastation of the country.

representing perhaps two and a half millions of deaths.¹ While the plague was by no means confined to the labouring classes, the consensus of opinion is that the death rate was highest among the poor;² complaints as to the scarcity of labour of all kinds, especially agricultural, of the exorbitant wages demanded by the labourers fortunate enough to survive, and of the consequent inability of landowners to till their lands, arose immediately, and have been recorded by all commentators from the contemporary chroniclers³ down to the modern economic historians.⁴ Parliament being unable to meet on account of the pestilence, the responsibility of dealing with the emergency fell upon the king's council;⁵ the result was the issue on 18 June, 1349, of the famous ordinance of labourers.⁶ The continuance of the seriousness of the labour problem is given as one of the reasons for the summoning, for February, 1351, of the first parliament that sat after the plague;⁷ the statement of the commons that the council's decree is not obeyed is met by the statute of labourers, not as a re-enactment of the ordinance, but as a supplement to it.⁸ The provisions of

¹ The total number of deaths is also a debatable question; Cunningham, *op. cit.*, i, 331-332, summarizes the controversy between Seebohm and Rogers on this point. See my bibliography for references to their articles.

² Gasquet, *op. cit.*, 195; Creighton, *op. cit.*, i, 124.

³ Of the chroniclers Knighton gives the fullest description; ii, 58-65, 74. Cf. also *Eulogium Historiarum*, iii, 213-214; *Chronicon Angliae*, 27; Le Baker, 98-100; Avesbury, 406-407.

⁴ Gasquet and Cunningham both contain references to many valuable manuscript documents.

⁵ Stubbs, *Const. Hist.*, ii, 418, note 2, 428, note 1.

⁶ App., 8-12.

⁷ *Rot. Parl.*, ii, 225b.

⁸ *Ibid.*, ii, 227b; for the text of the statute see app., 12-17. The usual opinion, even that of Stubbs, is that the statute re-enacted the ordinance. In reality the latter was not made a statute until the next reign; *Statutes*, 2 R. II, st. i, c. 8.

the two measures will later be analyzed in detail; here it is sufficient to say that their main object was to secure an adequate supply of labourers at the rate of wages prevailing before the catastrophe,¹ and that the notable feature of these enactments is that they constitute the first important attempt of the central authorities to apply to the country as a whole, uniform legislation on wages and prices,—matters that had been previously left to local control.²

In considering this legislation there are two questions that must be answered; first, were its provisions legitimate, and second, were they effective? Among historians we find strongly opposed opinions on both these points. On one side it is urged that the statutes³ represent an endeavor to perpetuate villeinage and to hinder the movement toward freedom⁴ and aimed to restrict wages in the interests of the employer to a degree that

¹ Since the supply was to be provided in part by the compulsory labour of the able-bodied vagrant, it is true, as Cunningham points out, *op. cit.*, i, 335, that this portion of the ordinance marks the beginning of what afterwards developed into a poor law. I am not here concerned with this later development, which was certainly not foreseen by the framers of the measure.

² For an account of the action of the central government on economic questions previous to 1349, see Cunningham, *op. cit.*, i, 270 *et seq.*, 329-330, ii, 6-7; and Ashley, *Ec. Hist.*, i, ch. 3. The closest analogy to the present enactment is that of the ordinance of prices of 1315, which was speedily withdrawn; *Rot. Parl.*, i, 295; Trokelowe, 89 93; Stubbs, *op. cit.*, ii, 350. I shall deal with the subject to a slight extent in pt. ii, ch. i.

³ Throughout this work for the sake of brevity I use "statutes" to include the ordinance and the statute, except when it is essential that a distinction between them should be made.

⁴ Eden, *State of the Poor*, i, 41-42; Mackay, *Hist. of Eng. Poor Law*, iii, 13-17; Nicholls, *Hist. of Eng. Poor Law*, i, 45; Pashley, *Pauperism and Poor Laws*, 161-163; Seebohm, "Villeinage in England," in *E. H. R.*, vii, 458.

was unjust and atrocious;¹ on the other side it is held that the statutes were hostile to villeinage, inasmuch as they interfered with the relations of the lord to his villein and lessened the dependence of the latter on the former,² and that in accordance with the economic theories and practices of the age it was both reasonable and desirable that wages should be regulated, these statutes being peculiarly equitable in that they aimed to restrict prices as well as wages.³ As to their effectiveness, we find that while the belief is often expressed that the statutes were one factor in the causation of the peasants' revolt,⁴ the common statement is that they were inoperative as to their avowed object and may be regarded as dead letters.⁵ This view is based either on the fact of the undeniable rise in wages after the plague, put at from

¹ Eden, *op. cit.*, i, 39-42; Pashley, *loc. cit.*; Rogers, *Hist. of Prices*, v, preface, xi-xii, *passim*; Seeböhm, "The Black Death," in *Fortnightly Review*, ii, 270-273.

² Petrushevsky, *Wat Tyler's Rebellion* (Russian), reviewed by Savine in *E. H. R.*, xvii, 781-782; Savine, "Bondmen under the Tudors," in *Trans. Royal Hist. Soc.*, new series, xvii, 254-256; for an important discussion of this aspect of the statutes, cf. Vinogradoff, *Villainage in England*, 53-55.

³ Ashley, *op. cit.*, i, ch. 3, ii, 332-337; Brentano, *Hist. of Gilds*, cxlii-cxliii; Cunningham, *op. cit.*, i, 249-254, 335-336; Tout, *Polit. Hist. of England*, 372-374.

⁴ Bergenroth, Sybel's *Hist. Zeitschrift*, ii, 51-86; Kriehn, "Social Revolt, 1381," in *A. H. R.*, vii, 282-285, 477-479; Oman, *The Great Revolt*, 7-9, 17; Page, *End of Villainage*, 71; Petit-Dutaillis, in introduction to Réville's *Soulèvement des Travailleurs d'Angleterre*, xxxii, xlv-xlix; Powell, *The East Anglia Rising*, 1; Seeböhm in *Fortnightly* quoted *supra*, 272; Stubbs, *op. cit.*, ii, 420; Trevelyan, *Wycliffe*, 189-190, 217-218.

⁵ E. g., Powell, *loc. cit.*; Stubbs, *op. cit.*, ii, 428, 473. Eden is an exception, and with no reference to the revolt holds that the statute was "rigorously enforced;" *op. cit.*, i, 42. Cf. also Denton, *Eng. in the 15th Century*, 239-241.

fifty to a hundred per cent,¹ or on the persistence of complaints in parliament of the failure of the statutes and on the necessity of their frequent re-enactment.²

It has seemed to me that the simplest and most accurate manner of trying to answer these questions and to discover what actually happened was to examine the available sources dealing with the methods of administration,³ and to attempt to present a detailed account of the efforts of central and local officials to enforce the statutes. For this purpose I have been obliged to confine myself almost entirely to the first ten years after the Black Death; my conclusions, therefore, with a few exceptions to be noted in due course, apply only to this limited period, but it is hoped that for a century in which constitutional, political and economic problems have attracted by far the largest share of attention a study of any one sphere of administration may be valuable as typical of administrative methods in general, and may therefore serve to increase our knowledge of the life of the times.

¹ Rogers, *Hist. of Prices*, i, 265, 269-270, 292, 298-300; *Work and Wages*, 237; "England before and after the Black Death," in *Fortnightly Review*, iii, 193; "The Peasants' War of 1381," *ibid.*, iv, 92. Rogers does, however, admit a possible effect on agricultural wages in certain districts. Ashley, in an article on Rogers in *Political Science Quarterly*, iv, 398, points out that the latter was the first to try to estimate this rise in wages. Other writers usually follow Rogers; *cf. e.g.*, Gibbins, *Industry in England*, 153, and Trevelyan, *Wycliffe*, 187-188.

² Gasquet, *op. cit.*, 197-198, presents this view with peculiar emphasis; *cf. also* Rogers, *Hist. of Prices*, i, 299.

³ For an explanation of my omission of the work of the church in enforcing the statutes, and of my insufficient treatment of the old local authorities, see app., 3-4, and pt. ii, ch. i.

PART I

THE ENFORCEMENT OF THE STATUTES OF LABOURERS BY SPECIAL MACHINERY

The assertion by the central government of its right to legislate on economic matters for the whole country on a scale previously unheard of necessarily included the duty of providing for the administration of the legislation; the special machinery devised for this purpose must first be described.

CHAPTER I

ACCOUNT OF THE JUSTICES OF LABOURERS

THE lack of accurate knowledge as to the extent of the enforcement of the statutes of labourers is in no way more clearly shown than by the fact that there has not even been unanimity among historians as to whether these statutes were, in the beginning, as was certainly the case later, included in the jurisdiction of the justices of the peace or whether they were left to a separate commission.¹ My first task, therefore, is to establish the identity of the justices mentioned in the ordinance and the statute.²

¹ I am indebted to Professor Cheyney for having called my attention to this question and to Professor C. A. Beard for many valuable suggestions. Lambard (*Eirenarcha*, 562-3), referring to the statutes for the regulation of the sessions of the justices of the peace, writes: "The first of these foure Statutes" (*i. e.*, 25 Edw. III, c. 8) "doth (in shew, and in common opinion) concerne the Sessions of the Iustices of Peace, but in truth it belongeth not at all to them: for it was made to direct the Iustices of Labourers in the times of holding their sessions: and they were not Commissioners of the peace, but speciall Iustices for the causes of Labourers alone, not resiant in the countrey, but sent downe for the time of that seruice, as it may expressly appeare, not onely by the preamble and all the parts of the said statute it selfe, but also by the statutes 28 Ed. III, cap. 5, 31 E. III, cap. 6, and 34 E. III, cap. 11, during all of which time also, the Wardens of the peace were neither called Iustices by any Statute, nor authorized to deale with Labourers." For the same view *cf.* Howard, *The King's Peace*, 40, and Beard, *Justice of the Peace*, 60-61. For the theory that the persons assigned to execute the statutes of labourers were probably the keepers of the peace, see Reeves, *Hist. of Eng. Law*, ii, 330. The historians of the English Poor Law have usually shirked the question altogether.

² The main portions of this section and of section 2 have already appeared in my article on the "Justices of Labourers" in *E. H. R.*, xxi.

(1) *The form of their commissions.*—From the point of view of the jurisdiction of the justices responsible for the enforcement of the statutes of labourers and, therefore, also from the point of view of the form of their commissions, four periods are distinguishable for the reign of Edward III, three of which fall within the decade 1349–1359.¹

1. Of these the first, running from 18 June, 1349, the date of the ordinance of labourers, to February, 1351, the date of the statute of labourers, or more strictly to 15 March, the date of the first commission issued as a result of the statute,² was a period of various administrative experiments. The ordinance, while specifying the duties of existing local officials, bailiffs, constables, *etc.*, merely refers in the victuallers' clause³ to *iusticiariis per nos assignandis*, with no account of their powers; one must turn to chancery enrollments for information as to these justices. On 20 February, 1350, a commission for seven counties was issued for the preservation of the peace and the enforcement of the ordinance of labourers;⁴ on 15 June a commission for the enforcement of the ordinance was issued by the bishop of Durham for five districts within his palatinate;⁵ commissions were also

¹ For the fourth period, see the article just mentioned, 526–527.

² App., 34.

³ App., 11.

⁴ “De pace conseruanda;” app., 33. As I am here dealing with justices I have omitted from the discussion in the text the two earliest recorded commissions issued in pursuance of the ordinance, namely, one of 6 Dec., 1349 to the chancellor of the university and to the mayor of Oxford, app., 33, and one of 8 Dec. to the mayor and sheriffs of London, app., 33, note 1.

⁵ App., 27, and note 3. Mr. Lapsley in *The County Palatine of Durham*, 257, note 3, refers to a commission to execute the statute of labourers in Rot. Hatfield, ann. 1, m 1 d, curs. 30; evidently by an error, as the first year of Bishop Hatfield's pontificate was 1345, and therefore previous to the labour legislation.

issued for the enforcement of the ordinance on 20 October for Lancaster,¹ and on 12 and 18 November for Lindsey and Suffolk respectively;² while from sources other than the Patent Rolls there is evidence that for this same year justices were executing the ordinance in Dorset,³ Essex,⁴ Northampton⁵ and Surrey,⁶ and in Lindsey⁷ even previous to November, 1350. In the case of both Dorset⁸ and Lindsey⁹ the Patent Rolls show that these same men were already acting as keepers of the peace. There is, therefore, a total of sixteen commissions,¹⁰ nine

¹ "De inquirendo de malefactoribus in comitatu Lancastrie;" app., 34. Henry of Lancaster received palatine rights on 6 March, 1351; *R. D. K.*, xxx, v. During the rest of the decade therefore commissions were issued by him instead of by the king; *cf.* p. 16, *infra*.

² "De operariis castigandis;" app., 34. Although this document was printed by Rymer, the only reference to it that I have found in modern writers is in Creighton, *Hist. of Epidemics*, i, 182: "The same ordinance (*i. e.*, 23 Edw. III), with some added paragraphs, was re-issued on the 18th November, 1350, to the county of Suffolk and to the district of Lindsey (Lincolnshire)." The text shows that the document is a commission to justices, not a re-issue of the ordinance.

³ Mem. L. T. R., 31, Hill., Recorda, rot. 9, Somerset' Dorset', "De vicecomite commissio prisone quia supersedit levacioni debitorum Regis;" a reference to "Roberto fitz Payn et Iohanne de Munden et sociis suis custodibus pacis et ad excessus operariorum Regis in comitatu Dorset' anno xxiiiio."

⁴ App., D, 1.

⁵ Orig., 24, m. 32, 12 June, "De compellendo stipendarios soluere excessiua per ipsos recepta subtaxatoribus;" Walter de Mauny and his companions are referred to as having power to enforce the ordinance; the wording indicates powers for the preservation of the peace also. On the same roll there is a similar reference to William de Thorp and his companions as acting in Leicester.

⁶ App., 248-249.

⁷ App., 242-243.

⁸ Pat., 23, pt. 2, m. 27 d, 1 July; *Cal.*, viii, 382.

⁹ App., 243, note 1.

¹⁰ The commission for the several divisions of Durham is counted as only one.

of which certainly included jurisdiction both for the preservation of the peace and under the ordinance of labourers. For the same period there are a number of separate commissions of the peace,¹ so that evidently neither system had become fixed.

The experimental character of these first attempts at enforcement is shown by the varying forms of the above commissions. That for Durham is *sui generis*, couched in vague terms, scarcely intelligible, but for the marginal heading; the joint commission² includes eight important clauses: 1. The preservation of the peace under the statutes of Winchester and Northampton. 2. Powers of array. 3. Inquiry by sworn inquest as to the violence committed by vast multitudes of malefactors. 4. Inquiry as to labourers who had received excess wages contrary to the ordinance. 5. Inquiry as to misappropriation by local officials, bailiffs, *etc.*, of the penalties imposed on such labourers. 6. Inquiry as to similar misappropriation by the subsidy collectors.³ 7. Punishment of offences against any portion of the ordinance. 8. Power of two of the commission to hear and determine cases of homicide and felony.⁴ The commission for Lancaster omits clauses 1, 2, and 8, but contains an almost exact duplicate of the remainder of the joint commission, with merely slight verbal variations in clause 3. The form of the commissions for Lindsey and Suffolk is, however,

¹Pat., 23, pt. 2, m. 27 d, *Cal.*, viii, 382-383; 24, pt. 1, m. 38 d, *Cal.*, 516.

²"Joint commission" is used throughout to describe commissions having jurisdiction over both the preservation of the peace and the statutes of labourers.

³For the duties of the collectors, *cf.* pt. 1, ch. iii, s. 1, A.

⁴The usual instructions to the sheriff and the authority to hear and determine unfinished indictments are not touched on in this analysis.

entirely different; the letter patent begins with the recital of the whole ordinance and continues with the statement that in consequence of the complaints of its non-observance that have reached the council, special justices are now appointed to punish all offenders against the measure, ending with the reservation that these justices are not to interfere with the rights of the justices of the peace or of the collectors of the subsidy.

In view of the small proportion of counties here represented one is somewhat puzzled by the clause in the preamble to the statute of labourers: *Sur qoi commissions furent faites as diuerses gentz en chescun counte denquere et punir touz ceaux que venissent au contraire.*¹ The length of time between June, the date of the ordinance, and the following February, the date of the first enrolled commission,² is also difficult to explain. It seems probable either that, as in the case of the five counties mentioned, commissions similar to those recorded, or at least supplementary instructions to the existing keepers of the peace, had failed to get enrolled,³ or that some other set of officials received the powers referred to in the preamble. The evidence in favor of this last possibility will be given in full later.⁴

2. The second period, from 15 March, 1351, to December, 1352, was one of joint commissions of the peace and for labourers.⁵ It has already been emphasized that the statute of labourers passed in February, 1351, was not a re-enactment of the ordinance but a supplement to

¹ App., 12.

² Cf. p. 10, note 4, *supra*.

³ For the years 1351-1359 the indications are that comparatively few commissions were omitted from the Patent Rolls, *cf.* p. 21, note 1.

⁴ Pt. I, ch. iii, s. 1, A.

⁵ For conciseness I use this phrase in place of "commissions to enforce the statutes of labourers."

it;¹ its importance consisted mainly in the much-needed administrative details² and in the definite mention of additional classes of labourers and of specific rates of wages. While many duties are still left to local officials, the "justices" who are to be assigned, and who are described as coming into the country to hold their sessions, are given, in successive clauses, full powers in regard to the labour legislation, including the responsibility for inquiring into the misdeeds of local officials and also for handing over to the collectors of the current tenth and fifteenth the penalties arising from infringements of the act. Every phrase in the text serves to confirm Lambard's inference that these justices were "speciall Iustices for the causes of Labourers alone."³ Hence it is a distinct surprise to find that the form of the first commissions issued as the result of the statute duplicates almost exactly that of the joint commissions of the first period.⁴ The first three clauses as to the peace, array and violence of malefactors, are identical in phraseology; clause 4, instead of referring merely to excess wages as does the corresponding clause of the earlier commission, has become a general clause for the enforcement of both the ordinance and the statute of labourers; clauses 5 and 6 relating to the supervision of certain officials are exactly identical; clause 7, on the punishment of all offences against the legislation, has only slight verbal modifications; while clause 8, dealing with homicides and felonies, is considerably amplified. Commissions of the type just described were now issued for forty-two districts,

¹ Introduction, p. 2.

² *Ibid.*; the complaints that the ordinance is not obeyed find expression in the preamble to the statute; evidently the first system of administration had proved a failure.

³ *Supra*, p. 9, note 1.

⁴ App., 21-24, and 34.

comprising thirty-nine counties and three towns¹ and during the following year commissions varying slightly in phraseology but all including jurisdiction over both the peace and the statutes of labourers were appointed for several counties and for a number of towns.²

3. The third period, from December, 1352 to November, 1359, is a period of separate commissions of the peace and for labourers, issued systematically for practically the whole country. 248 commissions are recorded on the Patent Rolls;³ the jurisdiction of those enrolled during the first five years was limited to the statutes of labourers,⁴ but in 1357 it was extended to include the enforcement of uniform standards of weights and measures.⁵ The form has been greatly simplified. The first three clauses as to the peace, array and violence of malefactors and clause 8 dealing with homicides and felonies have, of course, disappeared, as well as clause 6 providing for the supervision of the collectors;⁶ clause 4, the

¹ App., 34.

² App., 34-35.

³ App., 35-42. It must be remembered that in some counties the old joint commissions were not superseded for several years; *cf. e. g.*, Middlesex which had no separate commission for labourers until 1 Oct. of the 29th year.

⁴ App., 24-25.

⁵ In 1351 a statute had entrusted the enforcement of the uniformity of weights and measures to justices to be assigned by the king in each county whenever there should be need; *Statutes*, 25 Edw. III, st. 5, cc. 9 and 10. *Cf. Pat.*, 27, pt. 3, m. 10 d, 4 Dec. (*Cal.*, ix, 541). In 1353 and again in 1355 the commons petition, apparently in vain, that justices of labourers shall have jurisdiction over weights and measures (*Rot. Parl.*, ii, 252b-253a, 265b); yet only two years later without any statutory change, the regular form of their commission includes this jurisdiction; see app., 25-27. As a result of a petition in parliament (*Rot. Parl.*, ii, 260a) a statute had also given to justices of labourers the power to punish those who sold iron at an excessive price; see app., 17-18. It is not easy to understand the necessity for such an enactment.

⁶ All but clause 6 re-appear in the form of the commission of the peace of the period; *cf. e. g.*, *Pat.*, 30, pt. 1, m. 20 d, 12 Feb.; "De custodia pacis."

general clause for the enforcement of the legislation, has now become the opening clause, and is followed by the clause for the supervision of local officials (formerly clause 5), and by the clause on the punishment of all offences against both the ordinance and the statute (formerly clause 7). Usually the power to hear and determine unfinished indictments is included in this last. The only important modification is the addition of the clause concerning weights and measures.

In the case of the counties palatine there is less evidence as to the form of the commissions.¹ For Chester the first entry on the Recognizance Rolls is a reference to a commission for Flint, apparently dated 30 September, 1360;² but other sources show that justices of labourers, evidently on commissions distinct from those of the peace, were acting in Chester in 1352, 1353, 1356, 1357, 1358 and 1359.³ For Durham, although the statute is punctually enrolled on the Cursitor's Roll,⁴ I have found no record of any commission issued between that of 1350, already described, and one of 1369.⁵ For Lancaster, commissions for labourers entered on the Chancery Rolls were issued in 1355,⁶ 1357⁷ and 1359;⁸

¹ I have examined the manuscript evidence for the commissions for labourers only.

² "Commissio Ken ap Roppert ad inquirendum de operatoribus et artificibus," 30 Sept., 34th year; Recognizance Roll, no. 43, m. 1. *Cf.* Calendar in *R. D. K.*, xxxvi, app. 2, 409. I have reason to believe that the date should be a year later, but the discussion of this point does not belong to this monograph.

³ App., 145-149.

⁴ Cursitors' Records, 30, rot. 1, Hatfield, ann. 6, m. 6 d; *cf.* Lapsley, *op. cit.*, 125. For calendar, see app., 19-20.

⁵ Rymer, iii, pt. 2, 863; Lapsley, *op. cit.*, 179.

⁶ App., 29-31; there is some difficulty as to the date. ⁷ App., 27.

⁸ Duchy of Lancaster, Chancery Rolls of the Palatinate, ii, no. 38d;

the first of these differs slightly from the typical commission for the rest of England, but the last two are verbally identical with the form as finally fixed after the inclusion of weights and measures.

On 4 November, 1359, writs of *supersedeas* were issued to all justices of labourers throughout England;¹ never again, except for the palatinates, was a separate commission for labourers appointed. Henceforth a study of the form of the commission of the justices responsible for enforcing the labour legislation becomes a study of the form of the commission of the justices of the peace.²

(2) *Their relation to the keepers of the peace.*—For the time previous to the statute, it has been shown that the data are insufficient to warrant authoritative statements as to the number or the jurisdiction of the justices appointed;³ all that can be safely asserted is that the period was one of experiments, apparently not favorable to the separate commissions, since with the enactment of the statute the consolidation of the commissions of the peace and for labourers was universal throughout the country.⁴ The number of men assigned to each commission varies from five to ten, six, eight or nine being very usual; but from the first series of writs for the payment of wages, it appears that usually only two or three of the justices appointed to a given district were receiving salaries, their double set of duties being

“Iusticiarii assignati de operariis et mensuris;” 26 April, 9th year of the duke. There is also an association on the same roll, no. 19d, 3 May, 6th year. For calendar see app., 20.

¹ App., 31-32.

² See my article in *E. H. R.*, 526-527.

³ See preceding section.

⁴ With the exception of the palatinates.

specified in the writs.¹ It seems probable, however, that some differentiation of the work soon arose; in the next series of writs for wages, issued at a date when the joint commissions were everywhere in force, the men on the pay roll, comprising as before, only a small proportion of the whole commission, are now described as assigned merely to execute the statutes of labourers.² The explanation of the change may possibly be found in the application to the subsidy of January, 1352, of the money penalties under the statutes of labourers. The full discussion of this experiment in taxation is reserved for a later section;³ here it is to the point to note that, since the scheme necessitated the separation of the estreats of the penalties under the statutes of labourers from those for the infringement of the peace, and also put additional pressure of work on the justices who were responsible for the statutes, recourse to a division of duties and to separate sessions may easily have seemed advisable.⁴ Dissatisfaction with existing conditions is

¹ Claus., 25, m. 16; 12 July: "De vadiis pro iusticiariis assignatis soluendis." *Cal.*, ix, 314-317.

² App., D, 2, contains an example of an original writ to de Meignill in Derby and also his receipt for payment. There are similar writs to two of his colleagues while the commission for this county includes eleven names; Pat., 25, pt. 1, m. 14 d; 15 March. *Ibid.*, m. 13 d; 15 July and 20 July.

A full list of such writs are enrolled Claus., 26, m. 16; 1 May: "De vadiis soluendis iusticiariis ad inquirendum de operariis assignatis." With a slightly different form of writ,— "Aliter de huiusmodi vadiis soluendis"—the list is continued on the same membrane under the date of 20 June. These lists are summarized in *Cal.*, ix, 436-437 and printed in part in *Rot. Parl.*, ii, 455 a and b. Nearly all the justices named appear on the joint commissions of the 25th year; app., 34. For this whole subject, *cf.* pt. 1, ch. iii, s. 1, B, a.

³ Pt. 1, ch. iii, s. 1, B.

⁴ It is possible that the estreats of penalties "coram Iohanne de Bern-

recorded several times in petitions of the commons;¹ but toward the end of 1352, with no apparent connection with any of these petitions,² the issue of separate commissions for labourers began tentatively and spasmodically, and continued with increasing regularity. The following table shows the number of districts for which the two series of commissions, of the peace and for labourers, were issued during the eight years when the system of joint commissions was in abeyance.³

eye et sociis suis ad pacem in comitatu Norff' obseruandam assignatis," covering the years 24-28 Edw. III, indicate sessions of the peace distinct from those for labourers. During the first two years mentioned de Berneye was serving on the joint commissions of 1350 and 1351, and yet the estreats contain no reference to offences against the statutes of labourers. For the case of de Berneye, see next section and pt. 1, ch. ii, s. 1.

¹ These petitions are analysed in the next section.

² It is to be noted that there was not at any time during the decade any statutory enactment as to the separation or the consolidation of the two commissions.

³ This table is made up on the basis of the lists in app., 35-42; the last two columns show the frequency with which two sets of commissions were issued for a given district on different dates and often for a given district on the same date.

		DISTRICTS				Number of Commissions in each Series issued for	
Regnal Year.	Commissions.	Counties.	Towns.	Liberties, Wapentakes, Manors, etc.	Total Number of Districts.	the same Districts on same day of month.	the same Districts.
26 {	Peace	2	1	—	3	1	2
	Labourers	3	1	—	4		
27 {	Peace	13	5	—	18	11	5
	Labourers	17	5	—	22		
28 {	Peace	26	4	2	32	22	8
	Labourers	31	4	12	47		
29 {	Peace	15	2	—	17	5	12
	Labourers	59	5	4	68		
30 {	Peace	18	6	2	26	5	7
	Labourers	11	12	19	42		
31 {	Peace	10	—	—	10	—	7
	Labourers	41	2	—	43		
32 {	Peace	10	—	—	10	—	5
	Labourers	9	2	1	12		
33 {	Peace	44	—	—	44	—	9
	Labourers	9	1	—	10		

The total number of men appointed between 1349 and 1359 to enforce the statutes of labourers was 671.¹ While “justices of labourers” is commonly used in contemporary documents to refer to those members of the joint commissions having to do with the labour legislation,²

¹ Of course this by no means adequately represents the number of appointments; one man may have received as many as ten or fifteen letters patent for various counties, or on successive occasions for the same county.

² The phrase also occurs during the first period; but by chance I have found it only as applied to men whose appointment is not recorded on the Patent Rolls, so that it is difficult to determine the form of their commissions.

the title belongs, strictly speaking, to the members of the separate commissions, and it is their relation to the keepers of the peace that must now be considered. Of the total 671, 501 were serving on the separate commissions for labourers issued between 1352 and 1359,¹ many of them having been already appointed on previous commissions. Now during the period of the double series of commissions 404 men were appointed as keepers of the peace; a comparison of their names with those of the 501 justices of labourers for the same period shows that 299 were identical—that is that about three-quarters of the keepers of the peace were justices of labourers. A further study of names shows that 32 of the remaining list of “keepers” had previously been appointed to the joint commissions, and that one was serving as justice of labourers in the palatinate of Lancaster, so that only 72 of the 404 are unaccounted for.² An examination of the 501 justices of labourers reveals that of the 202 names not duplicated as keepers of the peace, 80 were assigned to towns, liberties, or wapentakes that often had no commission of the peace distinct from that of the county. A comparison of the two series of commissions district by district shows that frequently the same men were per-

¹The remaining names (not included in the 501) are distributed as follows: on the joint and separate commissions previous to the statute of 1351, 30; on the joint commissions from 1351 to 1352, 113; for the palatinates, Chester, 2; Durham, 4, and Lancaster, 10; additional names not found on the Patent Rolls, 11. The latter, distributed throughout the three periods, are: Bealknap, Brewes, Burwell, Cranesle, Forster, Houel, Lovel (R.), Nevill (R. de), Northtoft, Radeswell and Rougham. For the complete list of justices, references to their appointments, *etc.*, see app., C, 3. Both Lovel and Radeswell had been appointed to commissions of the peace in their respective counties as early as 1345; *Cal. Patent Rolls*, vii, 30 and vi, 511.

² Many of them appear on the commissions of the first period.

forming the double set of duties; in several hundred out of several thousand possible instances (roughly speaking), at the same date or within a month of the same date, a given man would be appointed on both commissions for the same district. Occasionally the two commissions are practically identical, but since the commission of the peace usually includes from eight to ten, while that for labourers ranges from two to five with three or four as the most common number,¹ merely a large proportion of the names on one list re-appears on the other. It is noticeable that the more important and distinguished names are the ones omitted from the commissions for labourers.² This tendency to make use of the same men has been so noticeable from the beginning

¹ The greater number of districts, liberties, *etc.*, that receive distinct commissions of labourers, while only one commission of the peace is issued for the whole county, explains the greater total number of justices of labourers; *cf.* s. 4.

² Examples might be multiplied indefinitely, but a few will serve. In Beverley, each commission includes nine names, eight of them being identical; Pat., 27, pt. 2, m. 26 d, 25 Aug., and *ibid.*, m. 25 d, 25 Aug.; *Cal.*, ix, 508-509. In Coventry, the commission of the peace is as follows: Henry Grene, William de Skipwith, Hugh de Aston, John de Meryngton, Nicholas Michel, Walter Whitwebbe, Richard Frebern (Pat., 28, pt. 1, m. 21 d, 28 Feb.). The commission for labourers (*ibid.*, m. 22 d, 28 Feb.) is identical, except that Grene and Skipwith are omitted. *Cf.* the estreats given in app., D, 5. An excellent instance is that of Notts. (Pat., 29, pt. 1, m. 28 d and m. 29 d, 26 Jan.). The commission for labourers includes William Deyncourt, Geoffrey de Staunton, John Lysens, John Bozon, William de Wakebrugge and John Power; that of the peace is identical, except that Grene and Skipwith are added. Apparently, however, they did not act, for according to Mem. L. T. R., 30, Trin., Breu. Ret., writs dated 8 July are issued to Deyncourt "et sociis suis iusticiariis ad pacem nostram et statuta apud Wyntoniam et Norhtamtoniam edita in comitatu Not' custodienda necnon ad excessus operariorum, seruientum et artificum in eodem comitatu puniendos assignatis," bidding them deliver their estreats into the exchequer.

that the petition of the commons in the spring of 1354 seems superfluous—*que les Gardeyns de la Pees et les Justices des Laborers soient uns la ou bonement poet estre fait.*¹

The precise reason why the justices of labourers had proved unsatisfactory it is difficult to understand: Lambard's statement that they were disliked is not an explanation.² After Michaelmas, 1354, the penalties under the statutes no longer went to the subsidy,³ so there was not the same need for the separation of the two sets of estreats; therefore, the cumbersomeness of a system that forced such large numbers of men to act in a double capacity, making necessary two series of quarter sessions *etc.*, may have become apparent. Administrative difficulties increased in connection with the whole problem of the claims of the lords to a share in the penalties under the statutes of labourers. The climax seems to have been reached in Warwickshire and Leicestershire, and is perhaps indicated in a petition to the king in the spring of 1359 from the magnates of these counties:⁴ to their complaint of the trouble caused by the necessity of separating fines from "excess,"⁵ as well as of distin-

¹ *Rot. Parl.*, ii, 257b-258a. Possibly the petition had some effect, for the duplication of names is peculiarly noticeable in the commissions issued during the following summer. Reeves, *Hist. of Eng. Law*, ii, 276, says: "The commission to execute the statute of labourers was usually directed to the same persons who were in the commission of the peace," a somewhat different statement from that quoted p. 9, note 1.

² *Eirenarcha*, 563.

³ pt. 1, ch. iii, s. 2, A.

⁴ Mem. K. R., 33, Trin., Breu. Baron., rot. 8d. Cf. also Mem. L. T. R., 33, Trin., Precepta, rot. 4 and 3, Warwick and Leicester. A peculiarly large number of claims to penalties are here recorded as made by the lords in these two counties.

⁵ For the reason for this separation, see pt. 1, ch. ii, s. 5, and ch. iii, s. 2, B.

guishing between the penalties arising from the sessions of the peace and those arising from the sessions for labourers,¹ the king replied by bidding the barons of the exchequer stop all proceedings in the matter until the following Michaelmas in order, as he said, that the whole subject could be thoroughly discussed and the most suitable remedy adopted. The next step of which I have knowledge is the writ of November, 1359, suspending the action of all justices of labourers.² Of the parliament of 1360 no record of enactments exists;³ and with the exception of proclamations to be made by sheriffs,⁴ the statutes of labourers were apparently allowed to lapse⁵ until the meeting early in January of the parliament of 1361. In the meantime there must have been talk of the re-organization of the office of justice of the peace, and the tendency proved to be in favor of a consolidation of county administration.

The statute of 1361, usually regarded as marking the culmination for this century of the development of the

¹The estreats for Coventry mentioned *supra*,—a case where the two commissions are practically identical—may have been one factor in this special crisis.

²See s. 1 and app., 31-32. The writ is signed by the king's son Thomas, Edward being out of England from 28 Oct., 1359, to 18 May, 1360. Longman, *Edward the Third*, ii, 46, 57.

³Parry, *Parliaments*, lvi.

⁴Claus., 33, m. 5 d; 20 Nov.: "De proclamacione facienda de stipendiis operariorum." Printed by Rymer, iii, pt. i, 459.

⁵The commissions of the peace of this period do not refer to the statutes of labourers; *cf.* Pat., 34, pt. 1, m. 28 d, m. o d, m. 6 d. There is some evidence that it had not been intended that either the justices or the statutes of labourers should be permanent; *cf. e. g.*, the phrase "tant come la iusticerie des laborers dure" of the statute of the 31st year, or "durante statuto et ordinacione predictis" in a letter patent of the 32nd year; app., A, 2 and D, 6.

powers of the justices of the peace,¹ gave to them jurisdiction over weights and measures;² but, although containing some important modifications of the existing labour statutes,³ it does not include the specific statement that the justices of the peace are henceforth to be responsible for their enforcement. In spite, however, of the lack of a definite enacting clause, the first commission of the peace issued as a result of it, included the power to punish labourers *etc.*, offending against this new labour legislation.⁴ The commissions of the peace during the years immediately following varied in form, sometimes—but not always—including the authority to deal with the earlier labour statutes also.⁵ Finally after two petitions in parliament,⁶ the statute of 1368 settled the matter definitely and brought all the labour statutes permanently within the jurisdiction of the justices of the peace.⁷ There is, however, an obstinate persistence of

¹ *Statutes*, 34 Edw. III, cc. 1, 5, 6, 9, 10 and 11, 1360-1361; usually cited as 34 Edw. III, 1360. The heading on the Statute Roll, m. 10, is "Statutum factum in parlamento tento . . . anno xxxiiii^{to};" but since the session lasted from 24 Jan. to 18 Feb. 1361 (Parry, *Parliaments*, lvi and 127) it is only for one day that it can be described as taking place in the thirty-fourth year. The first commission issued after this statute is on the Patent Rolls of the thirty-fifth year, dated 20 March (pt. 2, m. 33 d.) and contains a reference to the statute made "in our last parliament." The actions in the De Banco Rolls based on clauses of this same statute always refer to it as 35 Edw. III, *e. g.*, 46, Trin., Camb., 361, or 40, Pasch., York, 96 d.

² Cc. 5 and 6.

³ Cc. 9, 10 and 11.

⁴ Referred to *supra*, note 1; it is headed "De pace conseruanda." Cf. Lanbaid *op. cit.*, 39 and my article in *E. H. R.*, 526.

⁵ See my article, 526-527.

⁶ *Rot. Parl.*, ii, 286 b; 296 a.

⁷ *Statutes*, 42 Edw. III, c. 6. It is worthy of note that the scheme had been put into practice even before the first recorded petition of the commons. The increase in the powers of the justices of the peace secured in the early years of Richard II did not affect their relation to the statutes of labourers; *Rot. Parl.*, iii, 83-85; Beard, *Justice of the Peace*, 48.

the phrase "justices of labourers,"¹—even as late as the middle of the fifteenth century—, that seems unintelligible except on the hypothesis of a recurrence to the practice of the division of the work of a joint commission;² possibly the provision in Elizabeth's labour law for a special salary for justices of the peace while executing the act³ is a survival of the old differentiation of functions.

(3) *Method of appointment and removal.*—The relation of the justices of labourers to the keepers of the peace made it inevitable that the two sets of officials should be appointed by similar methods. By the middle of the fourteenth century, the crown, that is the king and his permanent council, had made good its authority to assign the keepers, but subject to continual efforts on the part of parliament to assert its rights in the matter.⁴ The struggle lasted during the rest of Edward's reign, in regard to both the justices of labourers and the keepers of the peace, and was not permanently settled in favour of the crown until late in the next reign.⁵ For the decade under consideration three out of the five parliaments of which there are printed records⁶ contain petitions on the subject. During the second parliament of the 25th year there are complaints as to the execution of laws in gen-

¹ See my article, 530.

² Especially is this true in regard to the petitions in the Good Parliament on the labour legislation; *Rot. Parl.*, ii, 340-341, "Bille des Laboriers."

³ *Statutes*, 5 Eliz., c. 4, s. xxxi.

⁴ Beard, *op. cit.*, 42-44. For an account of the occasional election of the "conservatores pacis" in the county court at an earlier date, see *ibid.*, 23-32.

⁵ *Ibid.*, 42, note 4, refers to a petition of the third year of R. II as the last on the subject; but there is even a later one in the fourteenth year. *Rot. Parl.*, iii, 279a and b.

⁶ See app., 8, for a list of parliaments during the decade.

eral, including the labour legislation, and a request for new commissions with more comprehensive powers: that justices *esluz en cest present Parlement, par avis des Grantz et autres de la dite Commune . . . soient assignez*. The king's answer: *il voet qe les Commissions des Laborers estoient en lour force*¹ does not prevent a repetition of the request: *que commissions dez laborers soient faites as certaignes gentz en chescune countee, nomez par les ditz communes en meisme le parlement*.² The petition in the autumn of 1353 that justices of labourers and keepers of the peace *soient establiz solonc la disposition nostre Seignur le Roi et son bon Conseil* receives the king's assent: *Il plect au Roi que Justices bons et covenables soient esluz*³ and results in a statute.⁴ Finally there is a more specific request in the parliament in the spring of 1354:

que les Nouns des Justices des Laborers soient veues et examinez par le Chaunceller, et Tresorer, et Justices de l'un Baunk ou de l'autre, & en presence des Chivalers du Countee; et ceux qi sont covenables demoergent pur tiel noubre come busoigne solonc le graundure du pais. Et en lieu de ceux qui serront oustez soient autres nomez par les ditz Chivalers, queux ne soient mye oustez sanz especial commandement nostre Seignur le Roi, ou resonable cause tesmoignee par lour compaignons.⁵

Although this petition is granted, a study of the lists of appointments and removals does not indicate that the commons exercised their right with any regularity.

¹ *Rot. Parl.*, ii, 238a and b.

² Embodied in "Statutum de Forma," etc., app., D, 2; for an analysis of this document, see pt. I, ch. iii, s. I, B, a.

³ *Rot. Parl.*, ii, 252b-253a.

⁴ App., 17.

⁵ *Rot. Parl.*, ii, 257b-258a.

Except for the 30th and 33rd years, parliament met every year during this decade, but sat for only a few weeks at a time. A glance at the dates of the appointments of the justices of labourers shows that it had not yet become the custom to issue a complete list annually;¹ instead, it appears that for nearly every month of the year some commission is issued, often for a district that has received a previous one very recently, so that many counties have as many as three commissions within twelve months.² In addition, it is apparent that frequent associations are made,—on ninety-nine occasions during the decade, including usually one or two names, sometimes more, and thus making a fairly large total.³ On the one hand, it is significant that in several instances full lists seem to have been the result of parliamentary action. For example, the long list of 15 March, 1351, or of 2 July, 1354,⁴ may easily have been discussed in the sessions immediately preceding those dates;⁵ while the list of 20 December, 1355, was also issued only a few weeks after parliament had sat.⁶ On the other hand, the equally complete list of 5 February, 1357, is dated several months before the session of that year,⁷ at a time when no parliament had met for over twelve months.

¹ See the chronological list of appointments in app., B, 2.

² This same statement is true of the keepers of the peace.

³ See app., 42, and B, 3, *passim*. The practice of associations was evidently regarded as an evil and was forbidden in the next reign; *Statutes*, 12 R. II, c. 10.

⁴ App., B, 2, contains the references to these and to the following lists.

⁵ The respective sessions had ended on 1 March and 20 May; the latter had included the petition, part of which is quoted on p. 27 and part on p. 50, and which may conceivably have had some influence.

⁶ The session had been from 12 to 30 Nov.

⁷ It began on 10 April.

Positive evidence as to how the lists are made up exists in a few instances and although referring chiefly to the "keepers" may be quoted to illustrate the method. I found among Ancient Indictments a list of twenty-three names, two of which are crossed through, with a note asking the king to grant commissions of the peace to the men named for each wapentake in Lancaster;¹ letters patent enrolled 2 June, 1350, appoint sixty men as keepers of the peace in Lancaster and include all of the above list except the two mentioned.² The people of the county of Hereford petition the king and council that Gilbert Talebot, Piers de Graunsoun and Roger de Chaundos shall be keepers of the peace;³ the joint commission of 15 March, 1351, composed of eight members, includes the two last named and Richard Talbot. An important action (to be discussed again) had been brought in the court of king's bench against de Roulegh and atte Wode, who had been removed from the joint commission in Surrey;⁴ in the winter of 1354, in the course of this process, there is a complaint to the king that there are no keepers of the peace or justices of labourers in the county, and an urgent request that Richard de Birton and Henry de Loxleye be made "keepers."⁵ Accordingly, in the following July, (there had been no full commission for Surrey since March, 1351,) two commissions are issued, one for labourers and one of the peace, both including de Birton.

¹ No. 56.

² 24, pt. 1, m. 3 d; *Cal.*, viii, 533.

³ Ancient Petitions, 5741; the petition is undated.

⁴ See pt. 1, ch. ii, s. 7.

⁵ *Coram Rege*, 28, Hill., Rex, Surrey, 35: "et dixerunt quod nulli custodes pacis seu iusticiarii ad inquirendum fuerunt in partibus illis et domino regi supplicauerunt quod" It seems almost certain that "de operariis, etc," has been accidentally omitted after "ad inquirendum."

In lieu of direct evidence, much information as to the method of appointment may be derived from a study of the changes in the commissions; in addition to those caused by death,¹ there are during this decade thirty instances of removal or discharge of individual justices² and three of the cancelling of entire commissions.³ A detailed analysis of the thirty cases gives the following results as to causation: in six, no information;⁴ in six, appointment to other duties;⁵ in one, inability to attend to the office;⁶ in two, infirmity and old age;⁷ in fifteen, merely *quibusdam certis de causis*.⁸ In the case of two of these fifteen, it appears that complaints of their misdeeds brought before the king's council by their col-

¹ Croft, Hillary, Lye, Staunton (J. de), Styuecle (J. de). On the claim of the abbot of Ræmsay to the penalties before Albert and Styuecle, justices of labourers in Hunts., the latter were summoned to the exchequer. Albert appears and states that no penalties were levied "per tempus contentum in brevi; eo quod marescalcia domini Regis per totum tempus supradictum in comitatu Hunt' extiterat. Et ulterius vobis significo quod Iohannes de Stukele mortuus est." Mem. L. T. R., 33, Mich., Recorda, rot. 2 d. We know that the latter was dead by Nov., 1357, and yet by the very end of 1358 the news had not reached the exchequer. For the manuscript references to the above names as well as to the other names in this section, see list of justices in app., B, 3.

² Adam, Beauchaump (W. de), Benteleye, Berneye, Broun, Bures (A.), Botetourt, Chaumont, Colvill (J.), Crouthorn, Debenham, Folvill, Golafre, Grey (J. de, of Rotherfield), Haldenby, Hubert, Laundels, Luscote, Michel (R.), Munden, Novo Mercato, Pakeman, Roulegh, Surflet, Sutton (J. de, of Holderness), Tyrel (the elder), Ughtred, atte Watere, atte Wode and Wychingham.

³ Essex, Northants. and Northumberland; see app., B, 2.

⁴ Adam, Benteleye, Bures, Munden, Sutton and atte Watere.

⁵ Botetourt, Laundels, Luscote, Michel, Novo Mercato and Ughtred.

⁶ Broun.

⁷ Beauchaump (see p. 34), Crouthorn.

⁸ Berneye, Chaumont, Colvill, Debenham, Folvill, Golafre, Grey, Haldenby, Hubert, Pakeman, Roulegh, Surflet, Tyrel, atte Wode and Wychingham.

leagues had resulted first in their removal and later in judicial actions against them.¹ In six instances, the reasons for a change are brought *coram consilio nostro*;² in one, *coram nobis et consilio*;³ while in seven, *coram nobis* or an equivalent phrase is used;⁴ in half of the cases, thus, the action of the crown is clearly indicated. In ten instances out of the thirty, the discharge is evidently honorable, as in four of these the verb is *exonerandus*,⁵ in five, other important duties are named,⁶ and in one, old age is alleged;⁷ in six, disgrace is implied by *amouendus*;⁸ in one, there is the doubtful phrase, "he cannot attend to the office;"⁹ in three, the commissions to the individuals named are revoked;¹⁰ while in the remaining ten the formula "appointed in the place of another" gives no clue to the motive. Fourteen of the thirty, or nearly a half, are re-appointed during the decade either to the same or to a different district; but only three of these fourteen had been described as removed;¹¹

¹ Roulegh and atte Wode; see pt. I, ch. ii, s. 7.

² Botetourt, Golaïre, Grey, Hubert, Roulegh, and atte Wode.

³ Haldenby.

⁴ Adam, Berneye, Debenham, Folvill, Pakeman, Surflet, and Wychingham.

⁵ Beauchaump, Botetourt, Golaïre and Grey.

⁶ See list in note 5, p. 30; Botetourt is named in note 5.

⁷ Crouthorn; Beauchaump is classed with the "exonerandus" list in note 5.

⁸ Adam, Folvill, Hubert, Pakeman, Roulegh and atte Wode.

⁹ Brown.

¹⁰ Berneye, Debenham and Wychingham. The wording of the writ implies that it is the old joint commissions that are being revoked; Claus., 28, m. 29, 1 Aug. The news did not reach the exchequer very promptly; for on 12 Oct., 30th year, Berneye has to inform it of the change. See document quoted pt. I, ch. ii, s. 1.

¹¹ Beauchaump, Benteleye, Berneye, Botetourt, Chaumont, Deben-

one of the three was tried in the court of king's bench and acquitted;¹ another was restored on better evidence brought before the king's council.² Parliament was meeting at the time of this last decision,³ but only three times did its sessions coincide with the dates of the instances of removal.⁴ In the first of the three cases where the entire commission was cancelled, it is because another and somewhat different commission was issued a few months later; in the second I have no information as to cause;⁵ but in regard to the third, Northumberland, there is definite evidence.⁶ A writ of the great seal, signed *per consilium*, directed to the barons of the exchequer, informs them that the letters patent to the justices of Northumberland have been cancelled on account of the state of war prevailing in that county, and in its wording clearly implies that the action of the crown had been taken as a result of complaints to the council.⁷ The story of the repeal of the special commissions⁸ as well as of the final repeal of all the separate commissions for labourers,⁹ plainly indicating action of the council

ham, Folvill (removed), Laundels, Michel, Munden, Pakeman (removed), Ughtred, atte Wode (removed); in the case of Broun, "Void" is written after the entry.

¹ Atte Wode.

² Pakeman.

³ The letter close is dated 6 Feb., 1352; the session was from 13 Jan. to 11 Feb.

⁴ In the case of Broun, Haldenby and Laundels.

⁵ Essex and Northants.; app., 35, note 10 and 37, note 2.

⁶ App., 39, note 1.

⁷ Mem. K. R., 30, Trin., Breu. Baron., rot. 2 d; pro Iohanne de Striuelyn et aliis: "propter discrimina guerrarum iminencia in partibus supradictis." Four years later it was necessary for these same justices to petition the crown to order the exchequer to stop process against them for their estreats; *ibid.*, 34, Pasch., Breu. Baron., rot. 5.

⁸ See pt. 1, ch. iii, s. 2, B.

⁹ See p. 23-24.

and of the exchequer, without interference from parliament, does not belong here; but enough has been said to make out a strong case for the theory that it is the king's council (including as *ex-officio* members both the treasurer and the chancellor) with whom the actual choice of names usually rests, and that this body is sometimes guided in its choice by the commons as well as by the advice of the local communities. It is worthy of note that although by the next century the practice began of establishing borough justices of the peace by charter,¹ at this earlier date there is no difference in method of assignment as between the county and the borough justices, either of labourers or of the peace; except that in Oxford the commissions for labourers are directed to the chancellor of the university and to the mayor of the town, and in London, to the mayor and the sheriffs.²

The striking irregularity in the dates of the appointments, the frequent issue of a commission for a district that had just received one,³ the removal of a man within a few weeks after he had been appointed,⁴ and the exceedingly numerous associations to the commissions,

¹ Beard, *op. cit.*, 148.

² P. 10, note 4 and app., 33, note 1.

³ In Worcester *e. g.*, commissions were appointed successively on 3 and 20 Dec., 1355; app., 38-39. In the course of exchequer processes for the Worcester estreats, it appears that the first set of justices had held a session for one day and had then been superseded; Mem. L. T. R., 32, Hill., Presentaciones, rot. 3 d. This must be typical of what frequently happened.

⁴ *E. g.*, Adam was appointed for Derby on 12 July and removed on 8 Aug., 1356; app., 44. Botetourt was appointed for Warwick and for Worcester on 20 Sept., 1351; on 15 April, 1352, on the ground of his commission for Warwick (issued on 20 April), he was "exonerated" from service in Worcester; on 2 July, of the same year, he was re-appointed for Worcester, and on 28 Aug., again "exonerated" from service there.

caused a constant shifting in the personnel of the commissions to an extent that must have been embarrassing and inconvenient. The failure of the council in this respect may easily have been due to lack of knowledge of local conditions and certainly explains the continuance of the endeavor of the commons to control the lists, an endeavor that did not cease with this reign.

Closely connected with the appointment and removal of justices is the question of the possibility of an individual's obtaining exemption from the necessity of service against his will. The list of public offices given at this period in the regular letters patent of exemption does not specify either justices of labourers or keepers of the peace, although "other bailiff or minister of the king" may be interpreted to cover both. In one instance a member of a joint commission, William de Beauchamp, had received a letter patent exempting him from serving against his will in "any office or commission"¹—a slightly different phrase from the usual one—and a few weeks later, he is "exonerated" from the joint commission, presumably on the ground of this general exemption.² In four cases, however, justices of labourers who had received the regular letters patent of exemption are shortly afterwards appointed to commissions for labourers.³ In the next reign the exemptions in the printed calendars mention specifically justices of labourers and of the peace,⁴ but I am unable to say at what date the change occurred. It is possible that so early in the development of the

¹ Pat., 26, pt. 2, m. 21, 13 June; *Cal.*, ix, 297.

² App., 49.

³ Pakeman, Pat., 27, pt. 1, m. 27, 4 Feb.; *Cal.*, ix, 400. Aton, Pat., 27, pt. 1, m. 16, 12 March; *Cal.*, ix, 422. Frenyngham, Pat., 27, pt. 1, m. 10, 16 April; Halsham, *ibid.*, 13 April; *Cal.*, ix, 429.

⁴ See my article in *E. H. R.*, 530.

office of justice of the peace and of labourers, it had not become apparent how onerous the service might be; it is also to be remembered that the salaries paid were some compensation. There is still another point to be considered; were all the men named on a given commission forced to do actual work? Both for the large joint commissions as well as for the smaller separate commissions for labourers, the writs for wages answer this question in the negative, payment being made only to those justices who held the sessions.¹ Evidence from other sources confirms the truth of this statement. In actions against the justices brought by the exchequer to secure the delivery of the estreats, it is clear that a given justice may excuse himself on the plea of never having received his letter patent or of not having taken part in the session, and that he is fairly sure of being *sine die*, provided that the exchequer can obtain the estreats from some one of his associates.² On the other hand, it appears from a Northumberland case previous to the one already quoted that service was compulsory,—barring some valid excuse which must be made good in court. In this instance the justices explained that the whole community had earnestly begged them not to execute their commission, since the enforcement of the statutes of labourers against those rascally Scots, the only labourers left in the county, would drive the latter in desperation to acts of violence; after some consultation on the part of the court it is decided that the excuse of the justices be accepted.³ On what principle it was determined by a given group of men named in a commission who were to act and who not, I do not know,⁴ but the fact

¹ S. 6.² See pt. I, ch. iii, s. 2, A.³ App., D, 5.⁴ My impression is that the first named on the list, “capitalis iusticiarius” might have greater difficulty than his companions in avoiding service; cf. pt. I, ch. ii, s. I.

that the really obligatory matter was the delivery of the estreats is only one of the many proofs of the overwhelming importance of the profits of justice; the appointments may be irregular or chaotic, but there is no irregularity or chaos in the means adopted by the exchequer to compel service from some members of the commissions in each county.

(4) *Territorial districts of their jurisdiction.*—The ordinance was issued in the form of a letter close. The copy enrolled is directed to the sheriff of Kent, with a note to the effect that similar writs had been sent to all sheriffs;¹ but it has already been shown that there is no authoritative evidence as to the number of districts that received commissions in pursuance of these writs.² The statute clearly applied throughout England, including London and all other cities and boroughs, within franchises as well as without;³ but the only direct reference to the territorial limits of the jurisdiction of a given set of justices is the provision that the justices were to hold sessions in each county.⁴

An analysis of the districts that at some time during the years 1352–1359 received commissions for labourers proves that the actual practice was more complicated than the scheme implied by the statute for the joint commissions. The districts may be grouped as follows:⁵ (1)

¹ App., 11.

² S. 1.

³ App., 17. There was considerable difficulty as to London; *cf.* pt. 1, ch. iii, s. 2, A for an account of the matter. Unwin, *Industrial Organization*, 138, claims that Elizabeth's great codification was the first instance of the application of uniform economic legislation to all geographical as well as to all industrial sections of the community; but *cf.* Cunningham, *Growth of Eng. Industry*, ii, introduction, for a more accurate statement.

⁴ App., 16.

⁵ These lists are given in app., 138–141.

34 geographical counties; (2) 7 divisions of counties, *i. e.* the three divisions of Lincolnshire and Yorkshire respectively, and the Isle of Wight as distinct from the rest of the county of Southampton; (3) 8 groups of wapentakes within Yorkshire, arranged in varying combinations; (4) 22 towns, all but 2 being boroughs;¹ (5) 24 franchises in the hands either of individuals or of an ecclesiastical order; (6) 2 counties palatine; total, 97 districts. Previous to 1352, in addition to districts included in the above list,² one separate commission for labourers had been issued for Durham³ and one for Lancashire before it had become a county palatine;⁴ also joint commissions had been issued on one occasion to Holland and Kesteven classed as a single district,⁵ and to two towns⁶ that did not again receive any commissions distinct from those of the county. These few instances belonging to the complicated and changing systems of the first and second periods are not included in the totals under consideration.

A comparison with the districts receiving commissions of the peace reveals a marked contrast. The counties show some differences; Southampton is never divided and Yorkshire almost never,—the West Riding twice,⁷

¹ On the authority of Merewether and Stephens, *Hist. of Boroughs*; Newark and Southwell are the exceptions. It should be added that two of the towns comprised in the Cinque Ports group were not made boroughs until a little later.

² A glance at the list in app., 33-35, shows that during the period of the joint commissions the total number of districts was small in comparison with the figures just given.

³ See app., 27.

⁴ See app., 34.

⁵ See app., 33.

⁶ Newcastle-on-Tyne and York; app., 34.

⁷ Pat., 27, pt. 1, m. 25 d, 8 July (*Cal.*, ix, 450); 30, pt. 1, m. 20 d, 13 May.

and a group of wapentakes once, obtaining commissions.¹ Only 14 towns² and 4 of the private franchises³ appear in this series, and of the counties palatine only Lancaster,⁴ making at most a total of 58, nearly a third less than the previous total. It appears, therefore, that the justices of labourers were frequently acting within much smaller geographical limits than were their confrères of the peace; but it is worthy of note that, for this decade at least, there is no foundation for Lambard's complaint that before the statute of 1360 commissions were made to the "Wardeins of the peace, not alwaies seuerally into each shire, but sometimes ioyntly to sundry persons ouer sundrie shires."⁵

All the joint commissions and most of the separate commissions of the peace, in cases where they were issued to towns, include a *non-intromittant* clause as against the keepers of the peace of the county.⁶ As far as I can discover, a similar clause against the county jus-

¹ Pat., 30, pt. 1, m. 20 d, 15 Nov.; liberties of Pickering, Whitby and Scarborough and wapentakes of Rydale and Harfordlyth.

² 13 identical with those in the first list; see app., 139, and Grantham in addition; Pat., 30, pt. 1, m. 20 d, 10 May.

³ Pat., 28, pt. 1, m. 21 d, 25 Feb., Richmond; 11 March, Holderness; 30, pt. 1, m. 20 d, 25 Oct., liberty of abbot of Reading in Berks.; 8 Nov., towns of Cambridge and Chesterton.

⁴ Calendar, *R. D. K.*, xxxii, app. i.

⁵ Lambard, *Eirenarcha*, 20-21; but *cf.* p. 51.

⁶ *Cf. e. g.*, Pat., 26, pt. 2, m. 20 d, 25 June (*Cal.*, ix, 332); town of Beverley. On one occasion four out of the eight keepers and justices acting in Holderness are instructed by a supplementary writ that they alone are to act in the town of Hedon; Claus., 27, m. 19; 22 April; "De non intromittendo de custodia pacis infra villam de Hedon" (*Cal.*, ix, 543). Beard, *op. cit.*, 147, quotes Hale to the effect that in the Tudor period unless the charter of a corporation had the exclusion clause, the county justices could exercise their jurisdiction within its borders, even if it had justices of its own.

tices of labourers does not appear in any of the separate commissions for labourers in towns, or even within private franchises, although occasionally, in the letters patent appointing justices of labourers for a county, it is specified that a given town is excluded from their jurisdiction.¹ Usually, however, the final clause in their commissions ends: *tam infra quam extra libertates*²—a phrase that seems almost meaningless when one considers the numerous private franchises within which special justices were acting. The discussion of the latter belongs to a later section,³ but it should be emphasized here that since a given franchise frequently consisted of widely separated holdings, these special justices must have cut into the jurisdiction of the county or borough justices in a strangely confusing manner. I have no information as to the extent to which conflicts actually arose, nor as to the principle in accordance with which they were settled; but in general it is assumed that a justice had full jurisdiction within the district to which he had been appointed, and that his writs would be obeyed only by the sheriff of the county within which this district lay. There was, however, a special provision in the statute of labourers that in case of a fugitive fleeing from one county to another, a justice could issue a writ to the sheriff of the county to which the delinquent had fled, bidding him send the latter to the gaol of the first named county.⁴

A study of the list of 97 districts shows some overlapping, especially in Yorkshire; this means that at a

¹ App., 138, notes 1, 2 and 3.

² App., 27.

³ Cf. pt. 1, ch. iii, s. 2, B; and also the response to the petition (*Rot. Parl.*, ii, 252 b–253 a) embodied in 27 Edw. III, st. 1, c. 3 (app., 17) quoted p. 27.

⁴ App., 17.

given date this total number of districts could not receive distinct commissions, but it is evident from the chronological list of commissions that the entire country was mapped out into subdivisions sufficiently small for efficient administration. Since the statute had only provided for the county as a district, it is possible that the king and council had determined on the experiment of the smaller districts in the belief that the justices of labourers would thus be enabled to do their business more thoroughly. The fact, however, that the majority of the subdivisions are private franchises, lends colour to the theory, to be discussed later,¹ that it was their owners who hoped to gain by this practice of the appointment of special justices within their liberties.

(5) *Their oath of office*.—The statutes of this decade do not mention an oath of office, but the first parliamentary petition having to do with the justices appointed to enforce the labour legislation, presented in the session of January, 1352, contains a reference to the justices as *sermentez*.² The petition as a whole is refused and in the printed rolls of parliament the question of the oath does not again come up³ until, toward the very end of Edward's reign, there is recorded the request that justices of the peace, now justices of labourers also, *soient sermentez devant le Conseil le Roi en mesme la manere come autres gentz sont*.⁴ There is, therefore, considerable doubt as to how the oath of office was administered during these early years, as well as to the exact form which

¹ Cf. *supra*, p. 39.

² *Rot. Parl.*, ii, 238a and b.

³ Unless the prayer that the justices "*soient artez par notre dit Seignur le Roi a pursuyr les Articles de lour Commission*" indicates a demand for an oath of office; *Rot. Parl.*, ii, 252b. For this same petition cf. p. 27, note 3.

⁴ *Rot. Parl.*, ii, 333a and b.

it took. My search for a copy of the oath has been unsuccessful, but a chance reference in one of the sessional records fortunately affords a valuable clue. John de Roulegh, or de Rowe, who in 1350 was enforcing the ordinance in Surrey,¹ whether on a separate commission for labourers or one that included the peace also, it is impossible to say, was in March, 1351 appointed on the joint commission for the same county. In the following September, however, he was removed by the king and council, and in January was indicted by his former colleagues of the joint commission for offences committed during his first term of office:

Item presentant quod vbi Iohannes de Rowe nuper extitit iusticiarius domini Regis in comitatu Surr' et iuratus ad faciendum ius tam domino Regi quam populo ipsius Regis et tam pauperibus quam diuitibus et quod ipse hoc non dimitteret pro odio, fauore, munde, nec premissa neque iniuriam alicui faceret; ibi dictus Iohannes de Rowe, nullo habito respectu ad suum iuramentum, ex falsitate et maliciosa imaginacione sua et pro odio quod habuit versus Gilbertum.² . . .

The phrases here used are strikingly similar to the corresponding phrases in the regular oath of the king's justices as it appears in the "Red Book of the Exchequer:"³

Le serment des Justices est que bien et leaument serviront le

¹ App., 248-249, and p. 11.

² Assize Rolls, Surrey, 907, m. 1 d; further extracts are given in app., 211-213; see also pt. I, ch. ii, s. 7.

³ See Rolls ed., table of contents, lxx. It is printed in the *Report on the Public Records*, of 1800, 236: "Sacramentum Justiciariorum." In an article on the "King's Council" in *E. H. R.* for Jan., 1906, Mr. Baldwin proves that this oath, used early in the reign of Edw. III, had adopted important phrases of the councillor's oath of 1307, which in turn goes back to an earlier councillor's oath of 1257.

Roi en Office de la Justicerie et dreiture a lour pouer frount a touz auxi bien as pources come as riches et que pur hautesce ne pur richesce ne pur amour ne pur haour ne pur estat de nuly persone ne pur bienfait, doun ne promesse de nuly. . . .

Further, the earliest recorded form of the oath administered to the justices of the peace that I have been able to discover, printed in the rolls of parliament for the year 1380,¹ some time after the consolidation of the two commissions, reveals in its opening a marked likeness to the oath taken by de Roulegh:

Vous jurrez que bien et loialment servirez le Roi en loffice de Gardein de la Paix, & de Justicerie des Artificers, Laborers, Pois et Mesures, & doier & terminer les tortz et grevances faitz au Roi & a son people selonc voz sen et poair ent ferrez avoir plein droit as touz, si bien as povres come as riches, si que pur hayour, favour, amistee, ou estat de nulluy persone, ne pur bienfait, doun, ou promesse.² . . .

This oath which was to be administered by the sheriff then continues with specific instructions as to the preservation of the estreats of the penalties and the rolls of the proceedings, and also as to the qualifications and the

¹ *Rot. Parl.*, iii, 85. Lambard had evidently not seen this form; in referring to the clause of 13 R. II, st. 1, c. 7, that justices of the peace are to be "sworne to keepe, and put in execution all the Statutes touching their office," he writes that it is the first oath that he has found to have been administered to the justices of the peace, although he is convinced that they were not "unsworn before," and that as it was too "generall, & hard to be observed" it was changed to the form given by Fitzherbert, almost identical with that in use in Lambard's day. *Eirenarcha*, 49-50. The words in Richard's statute are probably not themselves the form of the oath but only a reference to an oath, probably to that of 1380.

² Certain phrases of the councillor's oath given by Mr. Baldwin also appear, notably "conseil le Roi celerez."

duties of the clerk of the justices, and as to the oath to be taken by him,—provisions that were probably added only after half a century of administrative difficulties had shown the urgent need of precisely such remedies. The evidence just given, slight though it is, certainly establishes a presumption in favor of the theory that the substance of the oath by which de Roulegh was sworn was practically the same as that of the justices of the upper courts, and that it was afterwards incorporated into the more elaborate form devised in the next reign for the justices of the peace.¹ The inference also seems sound that the other justices during the years 1349–1359, whether of the peace or for labourers, were sworn by the same oath as that which de Roulegh violated; but in the absence of information for this decade, it is impossible to say by whom the oath was administered.²

¹ In the *Report on the Public Records*, of 1800, 223, among the oaths of office in the Chancery Crown office, not administered by the clerk of the crown or by his deputies there is printed in English under the absurd heading “Justices of the Office of Labourer’s Weights and Measures,” an oath really made up of two oaths: 1, of the justice of labourers and of weights and measures, 2, of the justice of the peace and of labourers. The latter half is practically identical with that of the justice of the peace given on the preceding page of the *Report* and by Lambard, *op. cit.*, 50–51, and printed by Mr. Beard, *op. cit.*, 171, and plainly goes back to Fitzherbert’s form. In looking for the original of this confused oath Miss Martin reports that the clerk of the crown in Chancery says that they have nothing earlier than 1700; but she has discovered at the Record Office among the Petty Bag documents (Rolls of Oaths, no. 31, Various) what seems to be the desired original under the title: “Sacramentum Justiciariorum de operacionibus et mensuris et pacis,” apparently in a sixteenth century handwriting. From the fact that the justices of labourers are still referred to specifically, it undoubtedly antedates the form given by Fitzherbert but is certainly later than the form of 1380.

² In 1380 it was the sheriff; but in 1389 there is a petition that it shall be the chancellor and council. For the later practice see Beard, *op. cit.*, 143.

(6) *The amount of their salaries.*—Both the ordinance and the more carefully framed statute are silent as to the compensation of the justices, but within a few months after the enactment of the statute, there appears on the Close Rolls a series of writs directed to the sheriffs, bidding them at a fixed rate per day pay wages to the justices out of the issues of the latters' sessions.¹ Since the payments are always to be made out of the money penalties imposed as a result of proceedings held before the justices, through the agency either of the sheriffs or of the subsidy collectors, it is necessary to reserve the account of the method of payment for the section on the disposition of the penalties.² Here it must suffice to say that owing to some hitch in the administrative machinery, these first writs were never executed, and that the failure of the justices in these early months of their work to receive their salaries explains the two petitions of the commons in the parliament of January, 1352, the first of which requests for the justices responsible for the statutes of labourers, *gages covenables*,³ and the second, *gages resonables, chescun solong son estate*,⁴—in the latter case to be determined by the committee of apportionment which will be described later.⁵ At the time of these petitions no separate commissions for labourers were in force, and during the rest of the decade the printed parliament rolls contain no petitions as to wages. Strictly speaking, therefore, there is no parliamentary reference to the salaries of the

¹ For the references, see p. 18, note 1; for the fate of these writs, *cf.* pt. 1, ch. iii, s. 1, B, a and s. 2, A.

² *Cf. ibid.*

³ *Rot. Parl.*, ii, 238b; for this petition, *cf.* p. 27.

⁴ In "Statutum de Forma," *etc.*, D, 2.

⁵ See pt. 1, ch. iii, s. 1, B, a.

justices of labourers as distinct from those of the keepers of the peace until, in 1357, the confirmation by statute of certain claims made by the lords of franchises to the penalties resulting from the labour legislation included a provision that they should, out of their quota of these penalties, contribute a share to the salaries of the justices of labourers.¹ Assuredly, however, there was no need of complaints from the commons or from the justices themselves; a study of the whole subject of penalties, based on chancery enrollments and exchequer documents, shows that if the sessions were duly held and if any penalties were levied at all, the justices were fairly certain, during this first decade, to receive their recompense.²

During the running of the subsidy of 1352, when the payment of the justices' salaries was made through the agency of the collectors instead of the sheriffs, there is evidence that in some cases the instructions of the second petition of 1352 were followed, and that the rate was determined by a joint committee of the collectors and the lawful men of the county, the letters close merely ordering "reasonable wages;"³ but normally the writs of the great seal specify a definite rate per day or per year, to be paid to a given justice only for those days during

¹ See pt. I, ch. iii, s. 2, B; and app., 18.

² Later, there must have been some diminution in the regularity of payment to the justices now acting on joint commissions; *cf. e. g.*, *Rot. Parl.*, ii, 271b: "Item que covenables Gages soient ordeinez pur les ditz Justices, come semblera as Chancellor et Tresorer nostre Seigneur le Roi. . . . Le Roi commandera as Chancellor et Tresorer sur ce sa volente." A similar request is recorded, *ibid.*, 286b; and the accusation is even made that the justices fail to do their duty for lack of wages; *ibid.*, 312b, 333b and 341b. In the course of the next reign the frequent petitions finally result in a statutory provision, *Statutes*, 12 R. II, c. 10.

³ See pt. I, ch. iii, s. 1, B, a.

which he had actually sat. Except for the period of the subsidy, the only information as to how this rate was fixed comes from the date of the re-organization of the office of the justice of the peace, just after the merging of the two commissions into one; the king apparently bids the chancellor and the treasurer settle the rate.¹ One may hazard the guess that this duty had, in the past also, fallen mainly to these two officials.

A brief summary of the normal rates is as follows:²

25th year, by the day: either half a mark for a justice and his clerk, *i. e.* 5s. for the justice and 1s. 8d. for the clerk, or 5s. for the justice alone.

26th year, by the day: some irregularity occurs during the running of the subsidy, since in various instances "reasonable wages" merely are mentioned in the writs. When specified the rate proves to be as before, half a mark for a justice or the same for a justice and his clerk; probably the clerk is assumed in the higher rate. 5s. for a justice alone is frequent, and occasionally 6s. or 3s. 4d.

There are no more enrollments of writs for salaries until early in 1356,³ the subsidy having ceased by the end

¹ See p. 45, note 2.

² These figures are taken from the entries on the Close Rolls, referred to p. 18, notes 1 and 2. It must be remembered that a mark is 13s. 4d.

³ I add the references to the Close Rolls: 30, m. 13, "De vadiis soluendis iusticiariis ad inquirendum de operariis assignatis;" a long list dated variously from 26 May to 12 Oct. *Ibid.*, m. 23, "Pro Radulfo de Middelneye," 10 Feb. 31, m. 6, "Pro Waltero Parles, de vadiis soluendis," 26 Nov. *Ibid.*, "De vadiis soluendis iusticiariis ad inquirendum de operariis assignatis;" a short list dated 12 Nov. *Ibid.*, m. 25, "De vadiis iusticiariis de operariis et seruientibus soluendis;" a long list dated variously from 6 Feb. to 12 Oct. *Ibid.*, "Pro Thoma de Sloghtre et aliis," 16 May. 32, m. 6, "De vadiis iusticiariis ad inquirendum de operariis soluendis;" a short list dated variously from 20 Oct. to 26 Nov. *Ibid.*, m. 23, "De vadiis iusticiariis ad inquirendum de seruientibus assignatis soluendis;" a long list dated variously from 8 Feb. to

of 1354. The rate is now given by the year instead of by the day, a practice that continues during the remainder of the decade. The amount is usually £10 a year for one justice and his clerk, and 10 marks a year for the other justice or for each of the other two justices, occasionally falling as low as £5 a year. While at first the clerk is not always specified as receiving a share of the greater of the two usual rates, he is so rarely omitted from the later lists that it is a fair inference that the £10 regularly included his wages. If the intention is that all the acting justices are to be paid at equal rates, the clerk's yearly salary will be £3 6s. 8d.¹

In comparing the payments per day of the earlier method with these annual payments, it is to be remembered that in the latter case the writs always stated that the round sum was due only if the sessions had been held for forty days during the year in question; while in the former case forty days were named as the maximum for which the daily rate was to be computed. Under both schemes, if the sessions had been for fewer days, the salaries would be proportionately less. On this basis it is clear that normally the 5s. rate per day for a justice, exclusive of the clerk, would amount to £10 a year, a considerably larger sum than the 10 marks of the second scheme, which averages only 3s. 4d. a day. The clerk's total per year under the first scheme of 1s. 8d. per day,

20 Jan. *Ibid.*, "Pro Edmundo de Clyuedon," 14 April. 33, m. 8, "De vadiis iusticiariis soluendis;" a short list dated from 11 Nov. to 2 Dec. *Ibid.*, m. 35, "De vadiis soluendis iusticiariis de operariis; a long list dated from 8 Feb. to 20 Aug. For an example of such a letter close, *cf. app.*, D, 5.

¹ Although in one instance (see writ to Sloghter, p. 46, note 3) it is specified that the clerk is to have £2 and two justices 20 marks between them, I am inclined to believe that the larger amount is more usual.

would at its maximum, equal £3 6s. 8d., exactly the same amount as that which he received according to the later method.¹ Occasionally, it appears that justices especially zealous in the performance of their duties, *i. e.* successful in an unusually large number of convictions, are rewarded by additional payments beyond the amount of their regular salaries.² It is always to be emphasized that if the justices failed altogether in making any convictions, they would be entirely without compensation for their labours; a fact plainly of the greatest possible efficacy in encouraging a thorough enforcement of the statutes entrusted to their care.

¹ In the earliest enactment on the subject (12 R. II, c. 10) the clerk's salary was increased to 2 s. per day, while the rate prescribed for the justices (by this date serving on joint commissions) was only 4 s. per day, midway between the two previous rates; and the sessions were now only expected to last three days four times a year. It is worth while to compare with the amounts received by the justices the rate of payment to members of parliament at this date; 4 s. a day for a knight and 2 s. for a citizen or burgher. Stubbs, *Const. Hist.*, ii, 247.

² The writ to Edmund de Clyvedon (*supra* p. 47, note) had ordered £10 beyond his regular wages on account of his great expenses and continuous labours, "necnon proficuum magnum, quod nobis per diligenciam et laborem suum fecit." Likewise, an additional payment of £5 had been ordered by writ of the great seal for Peverel and Halsam in Sussex because they had shown "diligenciam et sollicitudinem . . . in sessionibus suis inde pro nostro et populi nostri commodo;" Mem. K. R., 34, Trin., Breu. Baron., rot. 14, "Pro vicecomite Sussex'." The sheriff had such difficulty in obtaining his allowance from the exchequer for this payment that he petitioned the crown, and nearly three years later, a second writ was issued by the king and council to the barons ordering them to make the proper allowance. For an account of the episode, *cf.* Mem. L. T. R., 34, Trin., Precepta, rot. 6 d, Surr' Sussex.' (Another portion of the same process is given in app., D, 6.) As the ordinary writs for wages make no provision for extra sessions held according to the statute (app., 16) at the "discretion" of the justices, it is possible that these additional payments represent the reward for such sessions.

It has already been pointed out that only those justices were paid who actually sat, and that with the system of practical exemption for a portion of each commission from the necessity of service, only two or three (on rare occasions four or five) received salaries;¹ the figures recorded in exchequer documents show that the maximum was frequently, though not always, reached.² From these two considerations it is plain that there was a fairly definite limit to the total amount due in wages out of the penalties in a given county.

Suits brought by the justices to secure the payment of their salaries³ show the importance with which such payment was regarded, and prove beyond doubt that in the fourteenth century the compensation was considered an essential factor in the organization of the office.⁴

(7) *The personnel of the commissions.*⁵—During this decade the petitions of the commons as to the keepers of the peace and the justices of labourers, either of the joint or separate commissions, include no requests for a definite property qualification⁶ but merely mention rather

¹ Cf. p. 35.

² See pt. I, ch. iii, s. 2, A.

³ In the court of king's bench and in the exchequer; see pt. I, ch. iii, s. I, B, b and s. 2, A.

⁴ The later petitions already quoted complaining of the neglect of their duties because of the lack of salaries point to the same conclusion; I am inclined, therefore, to disagree with Mr. Beard's view (*op. cit.*, 150), that "no attempt was ever made to provide a regular salary for the justice of the peace."

⁵ See list of justices in app., B, 3. The calendars of Close and Patent Rolls issued since my monograph was practically completed (cf. app., 20-21) will render comparatively easy a really thorough study of the personnel of the justices. I can here emphasize only a few important points.

⁶ Neither the ordinance or the statute had specified any qualifications. A statute of 18 H. VI, c. 11 (*Statutes*), enacted that to be eligible to the peace commission a man must have an income of £20 per annum; with the change in the value of money, this sum soon became merely nominal. Cf. Beard, *op. cit.*, 144.

vague and varying requirements: they are to be *les Grantz de la terre, Contes et Barons, chescun en sa Marche, od les plus loialx et sages de la ley*;¹ or *des plus suffisantz demorantz deins les Countees*;² the statute resulting from this latter petition enacts the appointment of *iustices sachantz de lei, qi soient bones et couenables*.³ The most specific demand is for *des plus loialx, sages & sufficeantz des Countees, . . . et que nul Justice soit assigne par commission s'il ne soit sufficient d'estat et condition a respondre au Roi et au poeple*.⁴ Beyond the negative criticism implied by such petitions there seems to be no evidence of any general complaint against the status of the men assigned during these years. Closely bound up with the subject of the qualifications of the justices is the question of their residence in the districts to which they are assigned; the petition for men *demorantz deins les Countees*,⁵ repeated next time with greater emphasis, *et nient en foreins lieux*,⁶ shows that there must have been some abuse of the non-residence practice. An examination of the appointments has already brought out a notable difference between the membership of the

¹ *Rot. Parl.*, ii, 238a; *cf.* p. 27.

² *Ibid.*, ii, 252b; *cf.* p. 27. ³ *App.*, 17.

⁴ *Rot. Parl.*, ii, 257b; in this case the request applies to the keepers of the peace also; *cf.* p. 27. A writ of privy seal, addressed to the chancellor under date of 17 Aug., 1350 is worth quoting although it refers to a keeper of the peace, not to a justice of labourers: "Porce qe nous auons entenduz qe Laurence de Ludelowe qest assigne vn des gardeins de nostre pees en le conte de Shropshire nest pas sufisant ne couenable pur la garde de nostre dite pees et de faire autres choses q'appartiennent a son office, vous mandons que remue le dit Laurence facez assigner en son lieu aucun autre homme suffisant del dit conte qi serra plus couenable pur la garde de la pees susdite." Writs of Privy Seal, Chancery, Series I, file 347, no. 21, 102.

⁵ *Rot. Parl.*, ii, 252b; quoted *supra*, note 2.

⁶ *Ibid.*, 257b; quoted *supra*, note 4.

joint' as compared with that of the separate commissions; the former include a large proportion of men of law and of magnates, appointed at the same date, for a great number of counties; *e. g.*, John de Moubray and William de Skipwith for nine counties, William de Shareshull for seven, and similarly in many other cases.² Lambard's description, therefore, of the justices assigned to execute the statute of labourers as "not resiant in the countrey, but sent downe for the time of that seruice" is well justified.³ While occasionally the payment of wages in a given district proves to be to one of these well-known men, *e. g.*, to Skipwith in Lincolnshire,⁴ showing that he was performing actual service, usually it is the less famous names that appear on the salaried list, even in the case of the joint commissions. On the separate commissions for labourers there is a much smaller proportion of distinguished men and very few instances where the same men were appointed to a plurality of districts. Perhaps the petitions of the commons had effect; at any rate, on the whole, it is fair to characterize the lists of justices of labourers as composed of residents of the districts for which they were acting.

Further, while the joint commissioners, having power to hear and determine cases of felony and of homicide,

¹ *Cf.* p. 22.

² The list in app., B, 3, shows the extent of this practice, an evil a little different in nature from that of which Lambard had complained; *cf.* p. 38.

³ *Eirenarcha*, 562; erroneously described as justices of labourers only. *Cf.* p. 9, note 1.

⁴ Claus., 26, m. 16, 20 June, in the district of Lindsey; *Cal.*, ix, 437. *Ibid.*, Cavendish in Essex and Suffolk. The latter's murder by the insurgents has even been attributed to his relation to the statutes of labourers; Trevelyan's *Wycliffe*, 217 and 219.

would naturally include men learned in law,¹ there seems *à priori* no such urgent need in the case of the justices of labourers; but even among the latter, there appear the names of twenty-seven men who at some time during their careers, served as judges in the upper courts,² and merely a cursory study of the list shows that many of these justices were acting as justices of assize and of oyer and terminer.³

It has been shown that in boroughs there is some tendency to employ existing officials:⁴ the mayors of York and of Nottingham both served on commissions that included other names as well; in Oxford on four occasions, the mayor and chancellor are alone appointed; while in London the mayor and sheriffs are assigned, in the first instance alone, in the second with three others.⁵ The case of London is distinctly abnormal, for it had been stated in the parliament in the autumn of 1355 that sheriffs and coroners were not to be appointed justices.⁶

¹ The statute of 34 Edw. III, c. 1, provided that the commission of the peace (now a joint commission) should include "one lord, and with him three or four of the most worthy in the County, with some learned in the law."

² Including justices of the court of king's bench and of common pleas, several barons of the exchequer and several chancellors; *cf.* Foss' *Judges of England*.

³ See indices of the calendars of Patent and Close Rolls.

⁴ As a matter of fact the ordinance had empowered the mayors and bailiffs of cities and boroughs to enforce some of its provisions; *app.*, 10-11.

⁵ *App.*, 33 and note 1, 34, 40, 42. For London see in addition, *pt.* 1, *ch.* iii, s. 2, A.

⁶ "Ne que nul Viscount, Coroner, ne nul de lour Ministres desore soient assignez Justices en nulle commission;" *Rot. Parl.*, ii, 265b. Later it was necessary to repeat the prohibiton; *ibid.*, 335b. Beard, *op. cit.*, 42, writes that the movement against sheriffs may have been an attempt "to secure greater independence from purely royal offi-

It is probable that there had been complaints that at the present moment the evil was peculiarly pressing. A study of the lists of sheriffs¹ shows, that, leaving out of consideration magnates like the earls of Arundell and of Warwick, who held the office for life or for long terms, and who were also acting on innumerable commissions, there are during this decade between thirty and forty occasions when a sheriff or a subsheriff is actually serving as justice of labourers, and that, at the very time that this parliament was in session, five sheriffs were thus doing double duty.² Two days before the end of the session, Laundels, justice of labourers in Oxfordshire, was made sheriff of Oxfordshire and Berkshire; his prompt removal³ from the commission of labourers may have been the result of the parliamentary agitation of the question; but the practice was not checked, since, of the cases referred to above, about half occur after this date. The anomaly of this special combination of duties is apparent; a justice would issue writs to himself as sheriff to summon jurors and attach delinquents, and would then as sheriff report to himself as justice that the writs had been executed. A case to the point occurs in Buckinghamshire; Hamden as sheriff is ordered by the exchequer to levy from himself as justice of labourers a sum due to the crown.⁴ A very large proportion of men who had

cers;” the objection on practical grounds seems to me sufficient explanation.

¹ No. ix, in *Lists and Indexes*.

² Harewedon, justice in Northants. and sheriff of Cambridge and Hunts.; Laundels referred to in my text; Northo, justice in Sussex and sheriff of Surrey and Sussex; Parles, justice and sheriff in Northants.; Threlkeld, justice and sheriff in Cumberland.

³ Appointed sheriff on 28 Nov. and removed from his commission for labourers on 2 Dec.

⁴ App., D, 3.

been or were to be sheriffs were serving during this decade as justices of labourers, often only a short interval elapsing between their two sets of duties.¹ In the cases where appointment to other duties is specified as the reason for the discharge of a justice from service, the following are mentioned: commission in another county, sheriff twice, steward, collector of subsidy, and "other business of the king."²

It has already been emphasized that at the time of the enactment of the statute the commissions included a number of magnates appointed simultaneously for several counties; it is, therefore, not surprising to find a clause allowing the justices the privilege *de deputer autres soutz eux, tantz et tielx come ils verront que mieltz soit, pur la garde de meisme ceste ordinance*.³ There was, however, some opposition to this system; a petition, in 1353, begs that keepers of the peace and justices of labourers shall not appoint deputies;⁴ two years later justices of labourers are forbidden to appoint deputies.⁵ The only positive evidence for the custom that has come to my notice is in the case of Wiltshire, where for 1352 and 1355 proceedings exist *coram deputatis iusticiariorum*, although the justices themselves are also acting.⁶

The few definite instances where it is apparent to what other offices justices of labourers were appointed, the frequent occurrence of their names on the list of sheriffs, and also in the indices of the calendars that are thus far

¹ *E. g.*, in Northants., Blundell had acted as sheriff up to 3 March, 1351, and on 15 March was appointed to the joint commission.

² See p. 30, and note 5.

³ App., 15.

⁴ *Rot. Parl.*, ii, 252b.

⁵ *Ibid.*, 265b.

⁶ App., C, 1, nos. xvi and xvii. In a later Wiltshire roll, that for 1357, there is no mention of deputies.

in print, where they appear as justices of oyer and terminer, collectors of the subsidy,¹ escheators *etc.*, give a fairly clear picture of the general character of the men who were doing the work of enforcing the labour statutes. Apart from a score or more of judges, afterwards famous on the bench, and from a still smaller proportion of noblemen, the large majority of these justices seem to belong to that class of landed gentry to whom at this period the business of local administration of all kinds was entrusted, and into whose hands the task of the preservation of the peace eventually fell.²

There is no record at this period of any general indictment against the honesty and straight dealing of the justices of labourers, and further evidence will show that the actual instances of their conviction for misdoings are not many. At any rate it is evident that the king's council and the commons were at one in their belief in the superior merits of local justices for enforcing the labour legislation, and were shrewd enough to see that as employers of labour in the very district in which they were acting, perhaps even of the very offenders summoned before them for trial,³ the justices would have every incentive to show laudable zeal as to frequent sessions and numerous convictions, and would thus prove the most efficient of administrators.

This account of the 671 justices of labourers affords

¹ *E. g.*, de la Mare is acting as collector in the same county in which he had recently served on a joint commission; see Mem. L. T. R., 29, Mich., Presentaciones, rot. 7, Roteland'.

² See Beard, *op. cit.*, 71.

³ While Gilbert de Berewyk was on the commission for labourers in Wiltshire, his own servant was indicted in sessions for departure from Berewyk's service and for receipt of illegal wages; Pat., 27, pt. 2, m. 14, 8 Aug., "De pardonacione utlagarie (*Cal.*, ix, 485).

convincing proof that parliament, king and council, clearly intended that the statute should be enforced, and that they were using every means in their power to secure this end. The results of their efforts must be looked for in the records of the proceedings before the justices and in the amounts of the penalties imposed.

CHAPTER II

PROCEEDINGS BEFORE THE JUSTICES OF LABOURERS

IN comparison with the completeness of the chancery enrollments having to do with the appointments of the justices, the number of sessional records in existence for the decade is disappointingly meagre,¹ eighteen rolls, representing thirteen counties. Other sources, however, abound in references to similar rolls which cannot now be found,² while exchequer documents as to the penalties,³ especially subsidy accounts⁴ and entries of payments of justices' wages,⁵ afford convincing proof that the justices were sitting with fair regularity throughout the country. The eighteen rolls, therefore, by no means give exhaustive information as to the activity of the justices, and even if thoroughly analyzed will not furnish complete statistics as to rates of wages or of prices, or as to the number of offenders in the various economic and social classes affected by the statutes. They may, nevertheless, be regarded as typical for the administrative methods of the justices, their procedure in session, their relative emphasis on different portions of the legislation, and the character of their penalties, and contain important if not conclusive evidence as to the general trend of rates and the usual status of the culprits.

¹ By no means meagre however in comparison with the usual statement that none can be found for an earlier date than the sixteenth century.

² See p. 64, and app., 143-144.

³ Pt. I, ch. iii, *passim*.

⁴ *Ibid.*, s. I, B.

⁵ *Ibid.*, s. 2, A. and pt. I, ch. i, s. 6.

The following sections are based chiefly on data derived from an examination of the entire contents of these eighteen rolls, and more especially from the extracts selected for printing, the latter having been chosen with a view to illustrate as far as possible every phase of the work of the justices in session.¹

(1) *General description of the sessions and of the sessional records.*—With characteristic administrative precision the statute² had specified that the justices were to hold their sessions four times a year, Lady-Day (25 March), St. Margaret's (20 July), Michaelmas (29 September), and St. Nicholas (6 December), and at any other time at their "discretion."³ This earliest regulation of the dates of what may properly be called "quarter sessions," framed for the joint commission of the peace and for labourers,⁴ was held to apply also to the separate commissions for labourers,⁵ and until two years after the consolidation of the commissions,—and, therefore, after my decade,—was not modified by statute.⁶ Although there was no enactment as to the length of the sessions, the writs for payment of the salaries of the justices from the very beginning assume forty days to be the normal amount per year,⁷ but do not suggest that this maximum is compulsory, or that it needed to be distributed equally among the four sessions. A petition of 1354, requesting that the justices sit at least forty days a year,⁸ implies some shortcomings on their part, but the complaints do

¹ App., C, 1.

² The ordinance had not mentioned sessions of justices.

³ App., 16.

⁴ Cf. p. 9, note 1, for reference to Lambard's error in this matter.

⁵ Proved by the dates of the Cornwall sessions, app., 159-160.

⁶ *Statutes*, 36 Edw. III, st. 1, c. 12.

⁷ Pt. 1, ch. i, s. 6.

⁸ *Rot. Parl.*, ii, 257b-258a; cf. p. 27.

not become urgent until a later period.¹ It is evident from the entries on the Pipe Rolls as to justices' wages that the maximum of forty days was fairly usual, although not inevitable.² A glance at the chronology of the dates of the recorded sessions indicates wide diversity of practice in the different counties, varying from the orderliness of the Cornwall rolls, seven sessions at the statutory dates, of ten days each, to the irregularity, for example, of the Derby roll, where the justices sat for one or two days in six different months, with no reference to the prescribed dates. The utter chaos for Hereford and Rutland, where the sequence of the years and of the days of the week is hopelessly confused,³ seems to indicate a poor job on the part of the clerk, but the general impression conveyed by the eighteen rolls in distinction from the Pipe Roll entries, is that the maximum of forty days was rather rare, and that the "discretion" of the justices as to choice of dates was freely exercised.

With no statutory provisions as to the place for the holding of sessions, the practice varies from county to county; in some instances the justices sit always at the chief town,⁴ or at two or three important towns;⁵ sometimes they move with regularity from place to place;⁶ in two cases, various sets of deputies hold in-

¹ The statute of the 36th year seems to be due to complaints in parliament of the irregularity in the holding of sessions; *Rot. Parl.*, ii, 271b; cf. also *ibid.*, 319b. The petitions continue during the next reign, but three days four times a year are finally decided as sufficient. See p. 48, note 1. Lambard complains that in his time the sessions of the peace often did not last over three hours altogether; *Eirenarcha*, 570.

² Cf. p. 45, and pt. I, ch. iii. s. 2, A.

³ App., 165-166; 186-189; 202-203.

⁴ App., 145-149.

⁵ App., 165-166.

⁶ App., 159-160; 204-210.

quests in every hundred, and make their reports to the justices who are conducting their sessions at the chief town.¹ I have been unable to discover where, within the limits of the town, the sessions were usually held; in Essex, a *iustice sur laborers* is indicting and convicting labourers *en le Chaustel Daungre*; it will be shown later, however, that there is some doubt as to the nature of his commission, and in any case his proceedings were irregular.²

From the rolls themselves one can not always infer how many or which justices were acting, as the heading is frequently *coram* . . . (then follows one name) *et sociis suis*; but it has been emphasized that the writs for wages indicate that the number of "working" justices ranges from two to five;³ the form of the commission implies that a minimum of two must be present,⁴ and it appears that one of the charges against a justice under indictment is that he sat alone in judgment.⁵ It seems to have been the custom to speak of one justice of each commission, usually the first name on the list, as *capitalis iusticiarius*⁶ or *principaliter nominatus*;⁷ but just what additional re-

¹ App., 228-229.

² App., 266, and pt. I, ch. iii, s. I, A.

³ Cf. pp. 17-18, and notes I and 2.

⁴ "Et ideo vobis mandamus quod . . . vos tres et duo vestrum . . ." app., 26.

⁵ App., 212. It is strange that in two instances in the second series of writs for the 26th year, Kesteven and Holderness, wages are to be paid to one man only. See *supra*, note 3. Chester is a distinct exception; some of the proceedings take place before one justice only, and the commission issued just after my decade is directed to one man only; p. 16, note 2.

⁶ Mem. L. T. R., 29, Trin., Breu. Ret., rot. 2 d; Henry de Percy is thus described. *Ibid.*, 32, Mich., Recorda, rot. 21, Derby; Braylesford appears in court under this title.

⁷ See Exchequer, K. R., Accounts, 110/15, Norfolk; Berneye (whose

sponsibilities were incurred by him I can not say.¹ With the two or more justices who were holding sessions there sat the *clerc des iustices*, referred to in the statute of labourers, without any account of his duties.² He was paid a regular salary,³ presumably in return for the labour of writing the two classes of sessional records, the *placita* or accounts of the proceedings, and the "estreats" or memoranda of the resulting penalties. The former seem usually to be made up according to a definite system, beginning with the enrollment of the letters patent in virtue of which the given justices were acting, followed by the usual writs to the sheriff for the summoning of

case has been referred to, p. 18, note 4 and p. 31, note 10) makes the following explanation to a writ demanding his estreats as a member of a peace commission: "Et de alio tempore (. . . illegible) non habeo quia commissiones ante tempus infradictum ad inquirendum de infra contentis non habui nec post predictum tempus intromittere potui propter breve domini Regis michi et Willelmo de Wythingham tunc socio meo de premissis directum de vltcrius non intromittendo, cuius brevis transcriptum patet in cedula in ista inclusa. Et sciendum quod post illud tempus alie commissiones de pace custodienda in comitatu predicto directe fuerunt Iohanni Bardolf de Wyrmegeye et alia vice Iohanni de Norwico, michi et aliis, sed recorda et extracte inde remanent penes ipsos tamquam principaliter in dictis commissionibus nominatos." Undoubtedly there was no difference in this matter as between a keeper of the peace and a justice of labourers. Cf. Chaucer in *Prologue to the Canterbury Tales*:

"A Frankeleyn was in his companye

At sessiouns ther was he lord and sire;
Full ofte tyme he was knight of the shire."

Verses 331, 355 and 356.

¹ For tentative suggestions, cf. p. 35, note 4 and p. 64 of this section.

² App., 16.

³ Cf. p. 46. According to an instance noted in the *Records of the Borough of Leicester*, ii, 80, the mayor seems to have loaned to the keepers of the peace the services of his own clerk and then to have claimed from them the amount of the clerk's salary.

the jury of indictment, and then by the presentments and summoning of the indicted *etc.*,¹ sometimes the amount of the penalty is entered over the name of the convicted,² but normally the estreat roll is altogether separate. The chaotic condition of some of the existing rolls looks as if the clerk took merely rough notes during the session, and was then responsible for getting the roll into proper shape from memory; in one case a justice admits that he has the estreats but confesses that they are not yet properly *arraiata*.³ There is plenty of evidence that the clerk did not always do his work well: *e. g.*, the justices are distrained to correct mistakes in the estreats;⁴ the estreats are returned to the justices because they seemed to the court of the exchequer *esse insufficientes et non debita forma scriptos vel arraiatos*;⁵ there is, on at least one occasion, a discrepancy between the date stated in court by the justices and that written in the estreat roll by the clerk;⁶ on another occasion the court questions whether the estreats brought into the exchequer by the clerk (apparently) are in truth the estreats of the justices.⁷ The clerk was evidently used as a messenger, and appears before the barons to prove that he had delivered the estreats to the collectors.⁸ One clerk is shown to have had the estreats in his possession and to have carelessly lost them;⁹ others are

¹ S. 2 of this chapter, and app., 173-175. It is not meant that this logical order is always adopted by the clerk.

² App., 181-183.

³ Mem. L. T. R., 26, Mich. Presentaciones, De die dato, Southampton.

⁴ *Ibid.*, 35, Mich., Breu. Ret., rot. 1, Holland; a reference to the clause of Rubeus Liber, also quoted in a case given in app., 365.

⁵ Mem. L. T. R., 32, Hill., Recorda, rot. 1d; Northants.

⁶ *Ibid.*, 33, Mich., Recorda, rot. 16, Lincoln.

⁷ App., 365.

⁸ App., 290.

⁹ App., 285.

worse than careless and, in league with corrupt justices to aid in their extortion, are found substituting the name of an innocent for that of a guilty man.¹ It is not unnatural that by the next reign it was deemed advisable to administer an oath to the clerk as well as to the justices, especially as by this date he had become responsible for the custody of the records.²

This brings up a difficult problem; how and where were the sessional records kept? A distinction must at once be made between the *placita* and the estreats of the penalties; in examining the whole question of the disposition of the penalties it will appear that there was a carefully worked-out system in accordance with which the estreats were regularly delivered into the exchequer.³ Innumerable processes show that eventually the estreats were received in safety, and that the action of the exchequer was regular and persistent in insisting on securing them; but it also appears that the justices used exceedingly haphazard methods in the care of the estreats; apparently any one of the "working" justices who chanced to have them *penes se* kept them merely in his own dwelling,⁴ and from what has already been said as to the possibility of practical exemption on the part of some of the commission, there is no certainty as to who the "working justices" would prove to be. In the case of the *placita*, it

¹ App., 241-242.

² The oath of the justices of the peace who were now responsible for the labour legislation includes the following: "et que vous ne prendrez ne resceiverez nul Clerc devers vous pur faire escrire ou garder les Recordes et Proces avantdictes, s'il ne soit primerement jurez devant vous de celer le conseil le Roi, & de faire et perfournir bien et loialment de sa part qant a son office & degree apent en celle partie . . ."; *Rot. Parl.*, iii, 85b. Cf. pp. 42-43.

³ See pt. I, ch. iii, *passim*.

⁴ *E. g.* app., 283; cf. also "in partibus suis;" pt. I, ch. iii, s. I, B, b.

is still more difficult to find traces of the development of any rigid system for their preservation. That they were usually kept for a time at least is clear from the following considerations: records of actions before the justices of labourers are summoned to Westminster by writ of *certiorari* in order that the case may come before the king's bench, the council or the chancellor;¹ the exchequer for some special reason often orders the justices to deliver into its custody their records, rolls and processes;² in the case of certain difficulties as to the division of the penalties the treasurer and the barons bid the justices examine their records and discuss the point in question fully among themselves;³ on one occasion the king has heard that a certain one of three justices had the *placita* in his possession and therefore to him and to him alone is directed the writ ordering him to examine the records.⁴ There is also some indication that the *capitalis iusticiarius* was more directly responsible for the custody of both estreats and *placita* than were his colleagues.⁵

An investigation of the eighteen existing rolls show that in fourteen cases their survival can be explained by special causes;⁶ either the roll in question was wanted for a particular purpose by the exchequer,

¹ See s. 7; also app., C, 2.

² Cf. writs in app., C, 1; note 3 *infra* contains one instance out of many of a reference to the existence of a roll which I have not been able to discover.

³ Mem. L. T. R., 35, Mich., Breu. Ret., rot. 27, Berks.: "nos igitur inde per vos cerciorari volentes vobis mandamus si pluries quod visis rotulis placitorum inde penes vos residentibus, discussoque plenius inter vos"

⁴ App., 211.

⁵ Cf. p. 60, note 7, *supra*.

⁶ App., 144.

chancery or court of king's bench,¹ or by some accident its membranes had been united to the membranes of some other roll of *placita* that normally belonged in Westminster;² in one instance the *placita* and the estreats of penalties were combined.³ Since it is only in the case of four rolls that there is no obvious explanation of their preservation, the conclusion is warranted that the writs summoning them to Westminster have been lost, and that there is at this date no provision for the delivery of such records as a matter of ordinary routine into the custody of any one department of the central government⁴ or even for their permanent safeguarding in the hands of the local officials.⁵ Unless a given roll were wanted within a few years, it probably would never be wanted; it is therefore easy to see that there would be no motive for keeping it indefinitely. One cannot but rejoice at the fortunate chance that led to the survival of these eighteen rolls to serve as a basis for a description of what went on day by day before the justices and their clerk.

(2) *Procedure in sessions*.—While the ordinance had

¹ The writs are either attached to the rolls or in some cases enrolled elsewhere, *e. g.*, on the Memoranda Rolls; see app., 173, 231-232.

² App., C, 1; nos. I, II, III, VII, XI and XVII.

³ App., C, 1, no. XIII; *cf.* pt. 1, ch. iii, s. 2, A, as to the London records.

⁴ Although by 1336 it had been enacted (*Statutes*, 9 Edw. III, st. 1, c. 5) that justices of assize, of gaol delivery, and of oyer and terminer should send all their records and processes into the exchequer each year.

⁵ By the next reign the oath of the justices quoted previously has the following clause: “& touz les Recordz et Proces que serront faitz devant vous ferrez mettre en bone & seure garde.” *Rot. Parl.*, iii, 85b. The oath continues as on p. 63, note 2, *supra*, putting the responsibility on the clerk. In spite of this provision there are several instances where during the peasants' revolt sessional records were destroyed by the insurgents; see *Rot. Parl.*, iii, 275a, and Réville, *Soulèvement*, 38.

said nothing as to the procedure of the justices, the statute had been specific: the justices are empowered to swear in local officials, seneschals, bailiffs, and constables, to enforce the legislation and to make reports at quarter sessions; they are also empowered to hear and determine all offences against the statutes brought to their attention by the suits of plaintiffs and by presentments of juries, and, if necessary, to have recourse to the process of exigend after the issue of the first writ of *capias*.¹ The last clause in their commissions informs them that the sheriff has been instructed to summon suitable juries at a time and place to be named by them.² Accordingly, the first step taken by the justices in virtue of the receipt of their letters patent,³ is the issue of a writ to the sheriff,⁴ bidding him summon to a definite place, at an assigned date, a specific number—normally twenty-four or twenty⁵—of honest and lawful men, usu-

¹ App., 15. In this section, except when otherwise specified, the references are to pages of the appendix.

² 27.

³ Unfortunately I have been unable to discover on what principle an agreement was reached as to who of the commission were to do the actual work (*cf.* pt. i, p. 35), nor do I know who administered the oath of office to the justices, (*cf.* pt. i, p. 43), or how the letters patent were delivered to them. Many instances occur where the justices' excuse for not acting has been the failure to receive the letters patent, an excuse which seems always to have been accepted without further inquiry; *cf.* *e. g.*, pt. i, ch. iii, s. 2, A, and app., 282. In one of the commissions the sheriff is ordered to read aloud the letters patent in the presence of the justices; and on one occasion it appears that the justices had themselves read their commissions to a full county court.; app., 28, and 367.

⁴ It has already been said that it was the clerk's custom to enroll at the beginning of his record a copy of the letter patent and also the ensuing writ to the sheriff; *cf.* s. 1, p. 61, and app., 161.

⁵ 173, 181. Less often 18, or 12; 184, note 1, 204-205. "Knights" are sometimes specified; 199, in one case the reeve and four men from each "villa;" 161.

ally from each hundred,¹ who are to do whatever shall be enjoined upon them to do; constables and sub-constables are frequently included in this summons.² Next, at the appointed day and place, in the presence of the justices, the sheriff replies that he has executed the writ, and that the jurors are present;³ then either the whole number, or in some cases twelve, are sworn by the justices⁴ and charged to inquire into all cases of infringement of the law, while the constables are charged to perform the duties assigned to them by the statute.⁵ For both a day is named on which they are to make their presentments and render their reports, or suffer a penalty for neglect.⁶

The actual work of the session may be said to begin when the constables and the juries of indictment from each district⁷ make their presentments under oath; usually to the effect that such and such individuals, perhaps a long list, are guilty of specific offences against the statutes. It sometimes happens in the case of such indictments, most frequently perhaps in those brought by the

¹ Other districts are wapentake, 161; burg, 204; city, 173; "villa," 161; "villata," 181.

² 173; 221.

³ He is sometimes forced to distrain the jurors to appear; 221-222.

⁴ 199, and 222.

⁵ 222. In Cornwall the "decenna" and the "decennarii" have the brunt of the task of making presentments; 150-151.

⁶ In one instance where the jurors fail to report on the day assigned they are told that the penalty of 40 s. will be inflicted if there should be any further delay; 222-223.

⁷ If the justices are holding their sessions in various places within the county during the same year, in each place the presentments are made from the neighboring hundreds or towns only; *cf. e. g.*, 181. In two of the Wiltshire rolls there is a double set of proceedings, *i. e.* before deputies and before justices; 228-229.

constables, that no further process is recorded, but that *finis* or *finem fecit* is entered over each name in the list.¹ Probably the lack of further details is due merely to inadequate notes on the part of the clerk; it seems possible, however, that the early procedure of the old local courts was still in use, and that the presentments instead of being traversable are treated as conclusive proof of guilt.² By far the more usual method is the one now to be described. Occasionally, without further measures on the part of the justices, the indicted appear of their own accord;³ but normally the justices issue a writ of *attachies* to the sheriff, ordering him to produce the indicted on a given day.⁴ The sheriff then reports, often according to the return of the bailiff of a hundred or of a liberty,⁵ that the individuals mentioned in the list given to him are attached by pledges, or that they have nothing by which they can be attached.⁶ In the first case the indicted when summoned are to appear in the charge of the sheriff, and their examination can begin;⁷ if they do not appear when summoned, their pledges are in mercy,⁸ and the justices issue a writ of *capias* to the sheriff, returnable at a later day, ordering him to produce both this latter set of indicted, as well as those before mentioned who had no property by which they could be

¹ 145-148; 198; 223.

² Cf. Pollock and Maitland, *Hist. Eng. Law*, ii, 652-653. There are equally clear cases where a constable's presentment is treated as an indictment; 201.

³ 182.

⁴ 152; sometimes the writ is a "*venire facias*," and in connection with offences against the weights' and measures' legislation a writ of "*disstringas*" is usual.

⁵ 153, and 175.

⁶ 153; 175.

⁷ 152; 162.

⁸ 158.

attached.¹ The sheriff now reports that the individuals named are either taken and in his custody, or are not to be found in his bailiwick. In this second case the justices direct the sheriff to employ the ordinary process of exigend in the county court;² if at any time before the outlawry period³ the delinquent should surrender to the justices and *finem fecerit*, he can obtain from them a writ of *supersedeas*, ordering the sheriff to stop proceedings against him;⁴ if his outlawry has been proclaimed, he can on his surrender obtain pardon only from the king.⁵

Returning to the point in the proceedings at which the indicted, either attached or taken, are ready to be examined by the justices, in the presence, apparently, of a fairly large number of officials and jurors, it appears that very often they confess their guilt and declare themselves in the mercy of the king;⁶ still more frequently, however, they plead not guilty and ask for a jury trial.⁷ Occasionally at this stage, further cross-examination elicits a confession of guilt,⁸ but usually the trial takes place. The justices issue to the sheriff a writ of summons for this second jury, plainly to be distinguished from the jury of indictment already described;⁹ *xii liberos et legales homines de visneto . . . et qui predictos . . .*

¹ 153; 175.

² 153-154; 176.

³ Three, four or five exactions according to the method of counting; Pollock and Maitland, *op. cit.*, ii, 581.

⁴ 180; 235-238.

⁵ The Patent Rolls contain many examples of such pardons; *cf.* 239.

⁶ 175.

⁷ 152; 183.

⁸ 175.

⁹ The Cornwall Roll affords clear instances of the distinction between the two types of juries; 152-154. In one instance the trial jury failed to appear, and it was shown that the bailiff of the liberty to whom the writ of summons had been sent by the sheriff had failed to execute it; therefore the sheriff has to use process of distraint to secure the presence of the jurors; 178-179.

*nulla affinitate attingant ad faciendum recognitionem illam.*¹ They are chosen, proven and sworn and charged to give their verdict, at a time appointed for them.²

I noted one instance where a trial jury after the performance of its duties is then charged to make inquiries as to offences against the statute, *i. e.* to act as a jury of presentment and to make its report at a given time;³ but in general there is, in these rolls, a sharp line drawn between the two forms of juries.⁴

In addition to the method of presentments, there are far less frequent examples of suits brought by individual plaintiffs against defendants who had infringed various clauses of the statutes;⁵ the form of such actions as are recorded on these particular rolls follows closely the form of similar actions in the central courts; in those that have come to my notice issue is taken on a question of fact and a trial jury summoned.

There are, rather to my surprise, some instances where the accused are acquitted by the jury, but it must be confessed that such instances are comparatively few;⁶ if they

¹ 176-177.

² 154, and 179.

³ "Ad inquirendum . . . et ad reddendum veredictum suum;" 177. Cf. Pollock and Maitland, *op. cit.*, ii, 645: "We are right in saying 'verdicts.' The answers to the articles are often called *veredicta*."

⁴ The indicting jury had in the past acted as trial jury but at just this date a statute put a check to the practice in felony and trespass (25 Edw. III, st., 5, c. 3, *Statutes*). "A great deal yet remained to be done before that process of indictment by a 'grand jury' and trial by a 'petty jury' with which we are all familiar would have been established. The details of this process will never be known until large piles of records have been systematically perused. This task we must leave for the historian of the fourteenth century." Pollock and Maitland, *op. cit.*, ii, 649.

⁵ 156-157; 185-186.

⁶ 152; 154. One is reminded of Wyclif, 234, *Of Servants and Lords*: "lordis wolen not mekely here a pore mannus cause & helpe hym in his right, but suffre sisouris of countre to distroie hem but rathere wytholden pore men here hire." Quoted by Trevelyan, *Wycliffe*, 217.

are convicted, the last stage in the whole process is reached, namely, the imposition of the penalty; but before taking up that question it is more convenient to discover on what clauses of the ordinance and statute the indictments are usually based, and to what social and economic classes the delinquents belong.

(3) *Clauses of the ordinance and statute most frequently enforced.*¹—Weak as is the ordinance in arranging efficient means by which its provisions are to be enforced, the provisions themselves stand out lucidly.²

1. All able-bodied men and women, free and bond, without definite means of support, are commanded to accept service if offered them at the rate of wages of the twentieth year of the reign, or of five or six years previous to that year; lords are to have the first right to the labour of their tenants. This may be called the compulsory service clause.

2. Reapers, mowers, and other workmen or servants are forbidden to leave their masters within the term of their contracts, without reasonable cause or permission; other masters are forbidden to retain servants who have left within the term. This may be called the contract clause.

3. No one shall give or receive higher wages than are

¹The main responsibility for the regulation of wages of chaplains is in the hands of the ecclesiastical authorities and is not dealt with in this monograph; cf. app., 3 and 11-12. Although a few instances of offences as to illegal weights and measures have been printed in the extracts selected for the appendix, this whole subject is scarcely touched on.

²App., 8-12. The editors of the *Cal. of Close Rolls*, ix, translate "serviens" by "serjeant" both in the ordinance (87) and in the writs for payment of wages to the justices of labourers (436-437).

customary; this wages clause applies first to agricultural labourers and servants, and second, to artisans.¹

4. Reasonable prices are to be charged for all victuals.

5. Alms to the able-bodied are prohibited.

The endeavor of the framers of the statute to be specific and to provide for all possible contingencies results in a rather confused medley of provisions, including details of administrative method, out of which it is not easy to distinguish the essentials. Leaving aside the question of penalties and of their disposition,² as well as the instructions to the justices for their sessions and their mode of procedure,³ the remaining clauses fall into two main groups, namely, provisions to be observed by the labouring classes and duties to be performed by existing local officials and by the justices in supervision of these officials. In the first group, concrete details are added to the corresponding provisions of the ordinance.⁴

1. Agricultural labourers are described by their occupations and their maximum legal wages specified; their contract of service is to be by the year or other usual term and never by the day; their service in summer must be in the same place as in winter, with exceptions for labourers of certain districts in harvest time; they must all take an oath before local officials that they will obey these articles.

2. Three sets of artisans are referred to; for the first

¹ To the first by the context and to the second by a supplementary clause; in the latter case "givers" are not mentioned. App., 10. Unless otherwise specified the remaining references in this section are to pages of the appendix.

² The nature of the penalties belongs under s. 5 of this chapter and their disposition under ch. iii.

³ Already treated in s. 1 and s. 2.

⁴ 13-15.

set specific wages are prescribed, and for the second, the rates of the twentieth year, both as to wages for their labour and as to prices for their products; the third set of artisans, and all other workmen, artisans and labourers, and all other servants not specified are to take an oath before the justices that they will obey these articles; a still later clause describing the powers of the justices mentions workmen, labourers and all other servants, and also hostellers, innkeepers and sellers of victuals and of other commodities not specified.

In the second group it is stated that lords, seneschals, bailiffs and constables are to impose on agricultural labourers twice a year the oaths of good behavior referred to, and to punish delinquents by stocks; the last three sets of officials are themselves to be sworn before the justices to investigate all cases of disobedience to the statute and to report the same at quarter sessions, and are liable to punishment by the justices for neglect of their duties.¹

An examination of the existing rolls shows that occasionally the phraseology of the indictment is ambiguous: "he infringed against the statute" "or he was convicted in a plea of trespass,"² but more often the accusation is specific. A few examples must be cited under the various clauses of the law.

*Compulsory service clause.*³ A smith will not work for his neighbors but prefers the service of others at a higher than the legal rate;⁴ several men are vagabonds by night

¹ 13-15.

² 145 and 158.

³ For the attitude of the upper courts toward this clause, *cf.* pt. ii, ch. ii, s. 4.

⁴ 165.

and refuse to work;¹ a labourer refuses to work except at double the legal rate;² a number of men hold only small portions of land and yet refuse to work.³

*Contract clause.*⁴ A ploughman departs within the term agreed upon;⁵ after making a contract, a woman refuses to enter the service of her employer;⁶ at the command of the justices a woman is delivered to her master that she may serve out her term;⁷ an employer elicits the servant of another by the offer of higher wages;⁸ a servant departs within the term agreed upon without reasonable cause.⁹

A combination of these two clauses with the clause prohibiting departure in summer from the abode of winter results in a type of case that reminds one of the later law of parochial settlement. A number of labourers depart *a patria* in the autumn;¹⁰ one labourer departs himself *a patria* and persuades others to depart;¹¹ a carpenter enters service *extra feodum* contrary to the ordinance;¹² a servant departs from her town in the autumn for a larger salary;¹³ a number of women go to another town in the autumn although suitable service is offered them in their native place;¹⁴ a labourer goes out of the county, leaving his service before the end of his term.¹⁵

Clause as to service by usual terms. A ploughman re-

¹ 194.

² 171.

³ 224. Cf. petition quoted pt. ii, ch. ii, s. 4.

⁴ For the attitude of the upper courts toward this clause, cf. pt. ii, ch. ii, s. 5.

⁵ 185-186; an especially good example of an action brought at the suit of a plaintiff.

⁶ 192.

⁷ 214.

⁸ 196.

⁹ 223.

¹⁰ 146-147.

¹¹ 147.

¹² 214.

¹³ 226.

¹⁴ 198.

¹⁵ Printed Wiltshire Roll, 14.

fuses to serve except by day;¹ a labourer will not serve by term but only by day.²

Wages clause. A mower receives 12d. in excess, contrary to the form of the statute, a carpenter similarly 40d.;³ a long list of artisans, their occupations specified, receive wages higher than the rates previous to the plague or higher than those of the twentieth and twenty-first years;⁴ household servants are also guilty of receiving excess wages;⁵ employers are occasionally indicted; thus a reeve hires reapers in a public place at an illegal rate,⁶ a mistress gives excess wages to her spinning women, and a rector overpays his household servants.⁷

Price clause. Artisans are frequently indicted for taking excess prices for their products as well as excess wages;⁸ victuallers of all kinds are taking illegal prices.

¹ 196.

² 224. The petition quoted pt. ii, ch. ii, s. 4, includes a complaint that labourers wish to serve by the day only. A passage in Gower's *Vox Clamantis* written soon after the great revolt is so applicable that it belongs here (*Complete Works*, iv).

Lib. quintus; cap. ix.

“Sunt etenim tardi, sunt rari, sunt et avari.
Ex minimo quod agunt præmia plura petunt:
Nunc venit hic usus, petit en plus rusticus vnus,
Tempore preterito quam peciere duo;

cap. x.

Hii sunt qui cuiquam nolunt seruire per annum,
Hos vix si solo mense tenebit homo;
Set conventiciis tales conduco dietis,
Nunc hic, nunc alibi, nunc michi nuncque tibi.
Horum de mille vix est operarius ille
Qui tibi vult pacto fidus inesse suo.”

³ 163.

⁴ 182; 174.

⁵ 216.

⁶ 227.

⁷ 227.

⁸ 152.

as are also producers of many commodities not specified by the statute.¹

It is to be observed that the statute had provided that the justices should exercise their discretion in fixing the winter wages of certain artisans.² I find two noteworthy instances where they exercise similar powers, not coming under this clause. In one case they establish the rate of the yearly wages of a carter;³ and in another, they are ordered by a writ of the king and council to buy up all the linen cloth in their district,—*pro certo precio per vos ordinato inde soluendo colore commissionis nostre*,—and to deliver it to the clerk of the wardrobe or appear in person before the council to explain why they had not obeyed the writ.⁴

In turning to the remaining offences noted in the sessional records, the following are important. The oaths taken by labourers to observe the law are frequently mentioned: men who have been sworn in the presence of the justices, break their oaths;⁵ one man, on being summoned into court and ordered to swear, refuses to do so.⁶ The constables report long lists of labourers who are rebellious and refuse to take oaths of obedience to the statutes;⁷ their reports vary between two extremes; all the labourers in their district are obeying the law, or all are guilty of infringements.⁸ In the matter of the supervision of the local officials, the justices are kept

¹ 233-234; see especially the printed Wiltshire roll *passim*.

² 14.

³ 200.

⁴ Claus., 31, m. 7, 22 Oct.; "De panno lineo clerico magne garderobe Regis liberando." The writ is directed: "Willelmo de Surflet et Laurencio de Leek iusticiariis suis ad ordinacionem et statutum de operariis, seruientibus et artificibus in partibus de Holand de comitatu Lincoln' custodienda assignatis."

⁵ 170; 171; 199.

⁶ 156.

⁷ 223-224.

⁸ 202; 201.

busy; the constables are very often in mercy for not having their presentments ready, and are often themselves under indictment for concealing their knowledge of guilty labourers, while the tithingmen are frequently punished for their failure to provide stocks.¹

From this brief catalogue, it is noteworthy that except for the prohibition of almsgiving to the able-bodied, the justices were taking cognizance of every clause of both ordinance and statute; and it is probable that just at this crisis employers were not very likely to be guilty of almsgiving. The impression conveyed by the variety of offences will, however, be entirely erroneous unless it is pointed out, with all the emphasis possible, that the number of labourers presented for the receipt of excess wages and of excess prices is far greater than the total of all the other offenders taken altogether; in the case of the latter, in each instance, one or two individuals are indicted at a given time; while in the case of the former, the list of names included in a specific indictment sometimes runs as high as twenty or thirty; in fact, one of the clearest and most voluminous rolls, that for Somerset, contains no example of any other offence than that of the receipt of "excess." Undoubtedly, therefore, the main work of the justices of labourers must be considered to be their endeavor to keep down the level of wages and prices to the rates prevailing before the plague.²

(4) *Economic and social status of the delinquents.*—Were it not for the phrase *liberos* used sometimes of the

¹ 150-152.

² In the choice of my extracts for the appendix I was guided by a desire to show examples of all types of offences of which the justices were taking cognizance; the complete rolls convey an impression of a far greater proportion of offences against the wages and price clauses than do the selections here printed.

men eligible for jury duty,¹ there would be in these eighteen rolls scarcely a shred of evidence to show that the question of freedom versus villeinage was at this date a living issue;² since, however, in the proceedings before the justices of labourers summoned into a higher court, the point of the case depends precisely on the fact of villeinage,³ the silence of these particular sessional records indicates not that there were no villeins among the delinquents,—there must have been many, especially among the agricultural labourers,—but that, as far as the actions in quarter sessions went, the effect of the legislation on free and unfree was identical, and that for this reason no distinction between the two categories had to be made by the justices.

Leaving aside for a moment the question of wages and prices, the sessional records show the justices enforcing the remaining clauses of the enactments chiefly against agricultural laborers and somewhat less frequently against artisans and household servants, but in all cases as far as my observation has gone against members of what are technically known as the labouring classes, with no visible attempt to extend the application of the contract clause to other than manual labourers.⁴ It has, however, been already emphasized that the justices were mainly occupied with the task of keeping down wages

¹ *Cf.* p. 69.

² Unless perhaps "*extra feodum domini*" (app., 214) and the frequent departure "*a patria*" (app., 147) refer to the relation between villeins and their lords; *cf.* also p. 81, note 2, for the meaning of "*netrix*."

³ *Cf.* s. 7 of this section and pt. ii, ch. ii, s. 6. It will be shown later that actions in the upper courts do involve the issue of villeinage; undoubtedly the justices of labourers would have found it difficult to deal with the complicated questions of law raised by such cases.

⁴ This limitation to manual labourers must be kept in mind in comparison with what proves to be the attitude of the upper courts.

and prices; it is therefore the offenders against these two clauses who must be most carefully studied. The "givers" cannot always be readily identified, but fortunately there are several cases where they are referred to specifically; *e. g.*, a master of a house,¹ a bailiff in search of agricultural hands, a reeve,² and employers of various classes of artisans, spinners, tailors, tanners *etc.*, who need servants in their crafts.³ It is with regard to the "takers" that these rolls furnish the most complete information; the evidence given in a preceding section on the clauses of the legislation enforced by the justices included sufficient examples to prove that the takers of excess wages and prices fall into the economic groups indicated by the ordinance and statute, and although my data are not enough for a statistical study, it seems desirable on the basis of my extracts from the sessional records,⁴ of the printed roll for Wiltshire⁵ and also of my extracts from the schedules of accounts of penalties,⁶ and of the printed account roll for London,⁷ to present the following lists, incomplete though they are, in order to give a definite idea of the variety of crafts and occupations represented by the delinquents.⁸ An asterisk indicates those that are specifically mentioned in either or both of the enactments. It must be remembered that the ambiguous term *seruiens* is very frequent, with no clue as to the nature

¹ App., 227. ² App., 226-227. ³ App., 155. ⁴ App., C, 1.

⁵ Cf. app., 228, for an account of this roll. ⁶ App., 332-334; 380.

⁷ For this roll cf. p. 86, note 1.

⁸ Further lists are given in pt. ii, ch. ii, s. 4 in order to show the status of the offenders in the upper courts; moreover, the extracts in the appendix from Ancient Indictments furnish additional instances, in some cases, of crafts not represented in quarter sessions. It must be left for some future investigator to compile on the basis of all these sources really exhaustive statistics.

of the occupation, so that a large number of the offenders cannot be classified.

1. *Household servants.* *Serviens* is sometimes rendered explicit by context; occasionally *famulus* and *famula* occur.

2. *Agricultural labourers.* Common workmen and workmen are probably to be classed here, both men and women; also labourers and daily labourers; ‡ carter, driver, ‡ harvester, ‡ hoer, ‡ mower (a great variety of terms used to describe the nature of the task), oxherd, ‡ ploughman, ‡ reaper, ‡ reaper of corn, ‡ shepherd, ‡ swineherd, tasker, thatcher, ‡ thresher (a great variety indicated), wood-drawer. Women as well as men among most of these.

3. *Artisans.*

a. *Building trades.* ‡ Carpenter, coverer of houses, dauber, lather, ‡ maker of walls, ‡ mason, paver, ‡ plasterer, sawyer, stonelayer, ‡ tiler.

b. *Clothing trade.* Carder, ‡ cobbler, collar-maker, comber, ‡ cordwainer, ‡ currier of leather, fuller, ‡ furrier, glover, maker of linen cloth, ‡ pelterer, shapestere,¹ shearman, ‡ shoemaker, skinner, spinner, spinner of wool, ‡ tailor, ‡ tanner, walker, weaver, whittawyer. There are many women in the spinning and weaving trade.

c. *Various.* Collier, cooper, fletcher, furbisher, maker of baskets and brooms, maker of wheels for drawing water, miner, potter, ‡ smith, tinker, wheelwright.

4. *Victuallers.* ‡ Baker, ‡ brewer, ‡ butcher, ‡ fish-

¹ Cf. index of Powell's *East Anglia Rising* where this term occurs; his list of "Trades and callings" found in the Poll Tax lists is very valuable.

monger, ‡ innkeeper, miller, seller of salt, seller of oats, of beer, of mead, of wine, tapster, ‡ sellers of victuals in general. There are many women among the brewers and bakers.

5. *Unclassified*. Carrying of doors and windows, baking of lime, carrying of iron, fisherman, huckster, lighter of churches and houses, pedler,¹ seller of cartwheels, of coal, of lime, of iron, sellers in general.

6. *Unidentified*. *Aquebanilatrix*, chickkyn, mele-maker, *menbranator*, *netrix*,² schuppestre, seyner, sun-yere, *tentor*.³

A few instances occur where the delinquents can hardly be classed as manual labourers, *e. g.*, chaplain, clerk, crior, merchant, but include too few individuals to be significant.

It must be emphasized once again that my sources, both the records of the sessions and the estreats of the penalties, represent only a small proportion of the similar proceedings that were going on all over England, and that the extracts in the appendix from which the larger part of the above lists have been drawn represent only a small part even of these sources; this being the case, it is clear that the justices were dealing with practically every variety of economic class as far as manual labourers were concerned, but with very few individuals above this class, and also that the increase in the price of manual service of all kinds as well as in the price of

¹ This translation given in the printed Wiltshire roll, 4, as a suggestion merely, does not seem very probable.

² Is this the feminine of "netus," a bondman, or is it connected with "neo," to spin?

³ I suspect that "caruce" is understood. The printed Wiltshire roll presents some interesting combinations of occupations; *e. g.*, collar-maker and mower, carpenter and fisherman, merchant and fisherman.

all commodities had been well-nigh universal. The penalties inflicted for the endeavor to obtain this increase must now be considered.

(5) *Penalties*—Of the confused and complicated system of penalties indicated by the enactments, a brief summary must here be attempted.¹ In the first ordinance the following penalties for infringement are mentioned: *compulsory service clause*, gaol until security of good behaviour is given; *contract clause*, imprisonment; *agricultural wages clause*, for givers and takers the forfeit of double what was paid, promised or received, in excess of the legal rate, to go to the aggrieved party or to any who will sue; in the case of lords, treble; *artisans' wages clause*, gaol; *victuallers' clause*, double of what was paid in excess.² In the second ordinance which has to do only with the wages and price clauses, the forfeit of the "excess," *i. e.* of the difference between the legal and the actual rates, is substituted for the greater penalty of the first ordinance and in this case also is to go to the plaintiff, if any sue, and otherwise towards the subsidy.³ In the statute, in the case of agricultural labourers, refusal to swear obedience to the articles and breaking of the oath when sworn, are to be punished by stocks or gaol until security of good behaviour is given; in the case of artisans, the penalties for breaking of their oaths are fine, ransom, and imprisonment at the discretion of the justices. In general, infringement of any clause of the statute is to be punished by these three means, the imprisonment to last until security for good behaviour be

¹ The disposition of the penalties is merely referred to here and is treated at length in pt. I, ch. iii.

² App., 9, 10 and 11. I am inclined to believe that this interpretation of the amount forfeited is correct.

³ App., 260. For an account of this measure, *cf.* pt. i, ch. iii, s. 1, A.

provided; it is also added that the breaking of the oath of obedience shall for the first offence be punished by prison for forty days, and for the second, for a quarter of a year. In the same clause it is likewise specified that the penalty now regularly known as "excess" shall go to the plaintiff if any sue and otherwise to the current subsidy as long as it runs and after its cessation to the king.¹

In order to analyze the different clauses of the legislation and to describe somewhat in detail the status of the individuals who were infringing them, it proved necessary to interrupt the account of the procedure in sessions, leaving the justices face to face with groups of labourers convicted of their guilt.² How, out of the apparent confusion of penalties, do they proceed to deal with the delinquents? The rolls show that occasionally they employ imprisonment as an actual punishment: for example, an offender guilty for a second time of the receipt of excess wages is adjudged to prison for forty days;³ in one instance they use the equitable device of delivering to a master to finish out her term a maid-servant who had broken her contract.⁴ There are also frequent references to the use of stocks, a punishment that is often inflicted at the discretion of the constables without the intervention of the justices.⁵ The system employed by the latter

¹ App., 14-16. Cf. *Rot. Parl.*, ii, 227 b for a petition that corporal punishment shall be inflicted on delinquents instead of the hitherto ineffectual fines and redemptions; the statute is said to be in response to this petition, presumably the stocks fulfilling the requirement for corporal punishment.

² S. 2.

³ App., 184-185.

⁴ App., 214.

⁵ *E. g.*, app., 169; see also the numerous references in the De Banco rolls; pt. ii, ch. ii, s. 3 and s. 4. The Patent Rolls furnish further evidence as to the use of stocks; *e. g.*, a certain Richard de Buckeden of Leighton has been indicted before the justices of labourers in Hunts. "de eo quod ipse noctanter apud Leighton cum aliis ignotis cippos qui

is much simpler than one is led to expect by the summary of the provisions. Their penalties fall into two main groups, fines and "excess;" the latter can, of course, apply only to the giving and taking of illegal wages and prices, and since "excess" is equivalent to the difference between the legal and the illegal rates, the amount to be assessed upon each offender is limited by the degree of his offence, very little room being left for the discretion of the justices.¹ The excess goes to the plaintiff if any sue but with the system of presentments by juries, so commonly used, its disposition is regulated by the statutory provision.² Fully as frequent as the penalty of "excess" is the *finis* or *finem fecit*, applicable, of course, in case of the infringement of any clause of the statutes, including the wages and price clauses.³ It does not represent the modern idea of a fine but is an indefinite sum to be determined by the justices, all the circumstances of the case being taken into consideration; it really means that an offender, in order to be quit of the consequences of his guilt, must pay whatever the court decides and until he can pay the amount as fixed he must abide in prison unless he can find security for such payment. Very often the offender is able to pay immediately, and if not, he can almost always find pledges acceptable to the court; it is therefore unlikely that im-

facti fuerunt per mandatum nostrum secundum formam statuti predicti in predicta villa de Leighton ad delinquentes et culpabiles contra formam ordinacionis et statuti predictorum inuentos in eisdem cippis mancipandos et saluo custodiendos maliciose et contra pacem nostram fregit et separatim illos in foueam proiecit." 30 pt. 1, m. 15, 23 March, "De pardonacione utlagarie."

¹ In later years, a petition of the commons that the amount forfeited shall be double this difference is refused; *Rot. Parl.*, ii, 296 a.

² App., 15-16.

³ App., 145, or 230.

prisonment for a long term was used to any great extent. The estreat rolls show that a delinquent may have to forfeit the excess, or that he may be forced to pay a fine, or that he may incur both penalties.¹ In the case of actions brought by plaintiffs there are many instances of amercements for false actions and also for failure to continue the suit;² sometimes damages are mentioned, and in one instance it is stated that they are assessed by the justices;³ they would be the normal penalty in actions brought at the suit of plaintiffs on clauses other than the wages and price clauses. There are also many instances where offenders are in mercy and where it is recorded that they are amerced.⁴ Fines and "excess" are, however, by far the most usual form of penalty, and make up the larger part of the issues of the sessions, described technically in the exchequer as "fines, redemptions, excess, issues and amercements,"⁵ and belonging, according to mediæval custom, to him who had the right to the profits of that particular court. Perhaps the best proof of the all-importance of the wages and price clauses is the relative frequency of the penalty known as excess as shown by the fact that in many exchequer documents connected with the subsidies the phrase *excessus operariorum* has become very common as a description of the money penalties imposed under the statutes of labourers.⁶

A careful study of the records of fines and of the security given for their payment reveals the curious fact that a culprit who is himself assessed to a fine, which he has not yet paid, and for which he has had to find security,

¹ Cf. e. g., app., 380; 338; 383.

² App., 156 and 157.

³ App., 146 and 186.

⁴ App., 150.

⁵ App., 273, and similar documents, *passim*.

⁶ App., 330, *et passim*.

is apparently allowed to serve as pledge for another offender in a similar plight;¹ one is led to suspect that the whole matter of security has become an empty form; possibly the lack of sufficient prisons to hold the convicted made it necessary to adopt almost any device to meet the emergency.

As far as my examination has gone, the amounts of the penalties are normally within fairly well-defined limits, ranging from several shillings to several pennies, sums between 5s. and 3d. being most usual, but occasionally rising as high as half a mark, 8s. or 10s.² There is at least one instance where an offender was amerced £10 before the justices for refusal to swear obedience to the statute. It seems possible that the amount of this amercement was considered unwarrantable, for three writs were issued by king and council, two to the sheriff³ and one to the barons of the exchequer,⁴ ordering the proceedings for the levying of the £10 to be suspended; what the final outcome was I cannot say. In regard to the normal money penalties, it is worthy of note that in the punishment for the receipt of illegal wages, if a fine appears as the penalty instead of the "excess," the amount of the fine is apt to be exactly equal to the sum that had been

¹ App., 207, and 210; also the estreat roll for London summarized in the *Calendar of Letter-Book G.*, 115-118.

² This statement is based not merely on the sessional records but also on various exchequer documents many of which appear in the app.; see pt. I, ch. iii.

³ Claus., 31, m. 10 d, 30 July, "Pro Thoma Gobyon de Leyndon;" "pro eo quod in quadam inquisicione coram ipsis iusticiariis (Thoma Tirel et sociis suis) nuper capienda iurare recusavit." *Ibid.*, 32, m. 17 d, 30 May, "Pro Thoma Gobyoun de Leyndon." The county is Essex.

⁴ Mem. K. R., 35, Mich.. Breu. Baron., rot. 11; "Pro Thoma Gobyon," dated 26 Nov., 34th year.

taken in excess,¹ so that practically there is no difference between the two forms. It will become apparent later, however, that there was, from the point of view of the income of the exchequer, a motive for sometimes calling a given penalty a fine rather than "excess," and for sometimes doing just the reverse, a motive which can be understood only after a careful study of the disposition of the penalties.²

After the money penalties had been named by the justices in session, whether fines, excess or amercements, and had been duly entered on the estreat roll by their clerk, and after the roll had been delivered to the proper person, collector of the subsidy or exchequer official, the responsibilities of the justices were over; with the levying of the penalties they had nothing to do. While the total sum of the issues of the sessions affords an excellent means of estimating roughly the number of convictions, and therefore the efficiency of the justices in performing their task, this total must be discussed in connection with the whole question of the disposition of the penalties; but in the meantime, in order to appreciate more thoroughly the problems dealt with by the justices, it must be shown how extortionate in their demands were the offenders whom they were punishing.

(6) *Rates of wages and prices.*—It is an accepted fact that immediately after the plague there was an extraordinary and unprecedented rise in wages and prices;³ it is also indisputable that an upward movement had begun during the years just before the plague.⁴ An ac-

¹ App., 205, *et seq.* ² See pt. 1, ch. iii, s. 1, A and s. 2, B.

³ Introduction, pp. 4-5. During the actual ravages of the plague prices fell, but only for a few months; Knighton, ii, 62.

⁴ Cunningham, *Growth of Eng. Industry*, i, 335-336; Denton, *Eng. in Fifteenth Century*, 107, 217-218; Petit-Dutaillis, introduction to Réville's *Soulèvement*, xxix-xxx; Rogers, *Hist. of Prices*, i, 292.

curate estimate of the aims of the statutes in regard to the level of wages and prices will be possible only as a result of a detailed comparison, district by district, of the statutory rates with those prevailing before and after the cataclysm, bearing in mind that for wages the statutory rates were maximum,—where less was usual, less was to be paid,¹ while for prices the rate was to be “reasonable.”² Since the money rate *per se* has little significance, such a comparison must include statements as to the relative purchasing power of the various rates of wages. Rogers’ figures,³ the best that are in print, apply largely to the south and east of England,⁴ and in view of the wide variation between rates in different localities are useless for other parts of the country. Moreover, since the publication of Rogers’ tables, the continuous investigation of manuscript sources, the issue of successive official calendars and lists,⁵ and the increased printing of records,⁶ have all helped to show the abundance of material from which statistics can be derived.

Of the sources that I have examined, the most useful for this purpose are the sessional records themselves and the accounts of penalties;⁷ but, within the limits of my work for this monograph, it has been impossible to make an exhaustive study of the rates there recorded. Further, full as are these two classes of documents of instances of

¹ App., 13.

² App., 10.

³ *Hist. of Prices* already frequently quoted.

⁴ Wiebe, *Zur Geschichte der Preisrevolution*, 30-31.

⁵ App., 4.

⁶ *Cf. e. g.*, such a book as Miss Davenport’s *Norfolk Manor*.

⁷ Exceedingly valuable also are the counts in the actions brought in the upper courts; *cf.* pt. ii, ch. ii, s. 3, and also the presentments in the court of king’s bench recorded in Ancient Indictments; *cf.* app. F, 1.

the receipt of sums beyond the legal wages and prices, the manner in which the offence is entered on the roll often makes it impossible to ascertain the rate of increase over previous sums. Sometimes when the illegal rate per day is specified, there is not a sufficiently accurate description of the occupation of the offender to enable identification of the statutory rate;¹ sometimes there is only the vague phrase, "he received excessive wages," *cepit excessive*;² frequently it is said that "he received so much, (a lump sum), in excess;"³ this formula of course tells the net amount of the delinquent's gain and is undoubtedly employed so frequently because it represents that all-important fact, the amount to be forfeited as penalty, but it gives no clue to the rate of the gain. Even, however, within the narrow limits of information based for the most part on the extracts of sessional records printed in the appendix there are a few entries so explicit that it seems advisable to call attention to them.

Household servants. A maid servant is given 5s. for half a year instead of 3s. 6d.;⁴ another has had 30s. a year;⁵ two men servants are paid 8s. for the winter season, with livery and daily food;⁶ another man servant receives 6s. for half a year *et unam tunicam cum capuchio*.⁷

Agricultural labourers—Common labourers. The statutory rate for various agricultural work probably applies to this class; the following rates are all described as

¹ *E.g.*, app., 148. Unless otherwise specified the remaining references in this section are to pages of the appendix.

² 205, 208; see also printed Wiltshire roll, *passim*.

³ 234; printed Wiltshire roll, *passim*.

⁴ 202.

⁵ 224.

⁶ 227.

⁷ 193.

excessive: 18s. for half a year, *ad mensam*; 6d. per day in August, with food and drink; 2d. per day in winter, with food and drink.¹

Reapers. Statutory rate is 2d. or 3d. per day; they frequently receive 5d. and 6d.²

Mowers of meadows. Statutory rate is 5d. per acre; they are recorded as taking 9d., amounting to 20s. in excess;³ also 10d. and 8d. for half an acre, and 10d., 12d. and 14d. for an acre.⁴

Hoers. Statutory rate is 1d. per day; a woman takes 2d. per day, amounting to 12d. in excess.⁵

Threshing of corn. Statutory rate is 2d. ob. per quarter, but in Derby even less must be usual, for it is said that 3d. per quarter for 20 quarters amounts to 2s. in excess.⁶

Threshing of barley. Statutory rate is 1d. ob. per quarter; 8d. is paid for four quarters.⁷

Artisans.—A dauber takes 3d. per day and food, instead of the previous rate of 1d. and food;⁸ coverers of houses are receiving double the customary rate;⁹ a servant of a smith, having been sworn to take 8s. a year, received 20s.;¹⁰ a sawyer takes 5d. per day, with food, the statutory rate for carpenter, mason and tiler being only 3d. per day;¹¹ a fuller receives double the legal rate to the amount of 3s. 4d.;¹² a weaver is paid 1d. *pro ulna* instead of *pro tribus ulnis*;¹³ tailors take treble the customary wages.¹⁴

Although a great many victuallers as well as sellers of other commodities are indicted, I have found peculiarly

¹ 172, 267; Assize Roll, Essex, 268; m. 16.

² 226.

³ 171.

⁴ Printed Wiltshire roll, 17-18.

⁵ *Ibid.*, 18.

⁶ 162-163.

⁷ 231.

⁸ 194.

⁹ 171.

¹⁰ 170.

¹¹ 164.

¹² Printed Wiltshire roll, 12.

¹³ 196.

¹⁴ 170.

few instances where a direct comparison between old and new rates is possible; in one case sellers of meat and also of wine are described as making profits beyond what is reasonable, and the price of their wine is mentioned as 2d. per gallon;¹ in another case it is said that a gallon of beer is sold at 1d. ob. instead of at 1d.;² and in still another, a potter is accused of making *ollas ereas* and selling them *ad triplex*.³ It is interesting to find a vicar refusing to perform the marriage ceremony except for what is said to be an extortionate fee of 5s. or 6s.⁴ The incident of the Lincolnshire ploughman really tells the whole story; he refuses to serve except by the day and unless he has fresh meat instead of salt and finally leaves the town because no one dares engage him on these terms.⁵

Although emphatically disclaiming the intention of presenting these few specific instances as conclusive proof of a given rate of increase in wages and prices, it is my own belief that they are indicative of the general trend and that the countless cases of the receipt of excess will bear out the high rates just quoted. For once the

¹ 168.² 201.³ 170.

⁴ 171. A contrast to Chaucer's "Frere" in the *Prologue to the Canterbury Tales*:

"He hadde maad ful many a mariage
Of yonge wommen, at his owne cost."

Verses 212-213.

⁵ Cf. *Piers Plowman*, . A. Passus vii, 295-299:

"Laborers that haue no lond to lieuen on bote heore honden,
Deyne not to dyne a day niht-olde wortes.
Moi no peny-ale hem paye ne no pece of bacun,
Bote hit weore fresch flesch or elles fisch i—fryet,
Both *chaud* and *pluschaud* for chele of heore mawe."

Cf. Oman, *The Great Revolt*, 9.

chroniclers do not seem to have greatly exaggerated,¹ nor does one wonder that the "malice of servants" appears to the employers the only appropriate phrase to describe the attitude of the labouring classes.

(7) *Supervision of the justices of labourers.*—Omitting for the present the control of the justices most systematically worked out at this period, namely that of the exchequer, which has to do entirely with the question of the money penalties, the other methods of control exercised by the central authorities must now be considered.

1. The removal of individual justices and the cancelling of commissions by king and council. It has already been noted that any particularly flagrant conduct on the part of a given justice, if reported to the king and council, sometimes resulted in his prompt removal without recourse to the courts of law.²

2. The issue by royal writs of special commands to the justices and occasionally the appointment of special commissions of investigation.

3. The ordinary mediaeval system of dealing with the extortion or other misdemeanors of officials.

4. The removal to a higher court, by writ of *certiorari*, of proceedings before the justices of labourers.

The power of the crown over the removal of justices has already been treated in some detail and needs no comment here;³ further, the interference of king and council with the action of the justices, by means of supplementary writs, is sometimes due to the necessity for an interpretation of the relation of the justices to seig-

¹ It must however be admitted that the particularly high rates mentioned by Knighton do not seem to occur very often; cf. pt. ii, ch. ii, s. 3.

² Cf. case of the Surrey justices; p. 96.

³ Pt. i, ch. i, s. 3.

norial rights of jurisdiction and to the profits of jurisdiction and can therefore be most profitably treated later in connection with the disposition of penalties;¹ there are, however, other causes for interference which belong here. For example, when a certain abbot complains to the king that at the instigation of some of his rivals the justices in his county had forced his tenants to serve other masters, although he himself had need of their services for the tilling of his demesne lands, the king issues a writ to the justices bidding them supply the abbot with a sufficient number of labourers.² Again, the urgent pleas of the Carthusians of Hinton and of Wytham that, owing to their peculiar situation they are utterly unable to secure workmen, result, in the case of the first, in the permission from king and council to pay wages fixed by contract instead of the statutory rates and in a command to the justices of the county not to interfere;³ and in the case of the second, in the permission to hire labourers from the neighboring districts in spite of the statutory prohibition against labourers leaving their place of residence.⁴

It also appears that the justices, when in difficulties, are glad to have the aid and protection of the crown; on several occasions when their sessions have been broken up by the violent attacks of malefactors, and they

¹ Cf. pt. I, ch. iii, s. 2, B, and pt. ii, ch. i.

² App., 217-218.

³ Pat., 29, pt. 2, m. 4, 5 Oct., "Pro priore et fratribus de Henton, ordinis Cartusiensis;" quoted by Gasquet, *Great Pestilence*, 171-172.

⁴ Pat., 28, pt. I, m. 20, 16 Jan., "Pro priore et fratribus de Wytham;" also quoted by Gasquet, *op. cit.*, 170-171. There is a limitation to the use of writs in increasing the powers of the justices; cf. 42 *Lib. Ass.*, pl. 12; the jurisdiction of the justices of labourers in a certain county had been extended by writ to include champarties *etc.*, and it is decided by the court of king's bench that for such a purpose a writ is illegal and a commission necessary.

themselves exposed to danger, either they or their friends complain to the king and council and succeed in obtaining the issue of special commissions of oyer and terminer to investigate the trouble and to bring the offenders to speedy punishment.¹

Cases of negligence, extortion, and other misdemeanors on the part of officials come within the cognizance of the justices of the joint commissions² and of the justices of oyer and terminer, in accordance with the regular form of their commissions,³ and also in the ordinary course of law come under the jurisdiction of the court of king's bench. Even a cursory examination of these two latter classes of records has shown several instances of such cases, either in regard to justices or to the local officials for whom they were responsible; for example, indictments against justices,⁴ a justice's clerk,⁵ a constable,⁶ a seneschal and bailiff.⁷ Still more im-

¹ Pat., 25, pt. 2, m. 13 d, 6 July, "De audiendo et terminando rebellionem factam coram iusticiariis Regis;" summarized in *Cal.*, ix, 158; the justices of Middlesex were actually driven from their sessions at Tottenham. Pat., 26, pt. 2, m. 10 d, 22 Aug., "De audiendo et terminando pro Rege;" summarized in *Cal.*, ix, 341; certain evildoers assaulted John de Claymond while he was performing his duties as member of the joint commission in Holland and even sought to kill him. Pat., 32, pt. 2, m. 30 d, 30 July, De audiendo et terminando: a violent attack on Lyouns, Harewedon and others while executing their office as justices of labourers in Northants.

² Cf. app., 23 and 25-26.

³ Cf. e. g., Pat., 32, pt. 1, m. 24 d, 18 March, "De audiendo et terminando omnes felonias et transgressiones in comitatu Hereford':" justices are appointed to inquire "de quibuscumque feloniis, transgressionibus, conspiracionibus, oppressionibus, extorsionibus, confederacionibus, alliganciis iniustis, cambipartiis, ambidextriis, forstallariis, falsitatibus, dampnis, grauaminibus et excessibus."

⁴ App., 264-266.

⁵ App., 241-242.

⁶ App., 242-243.

⁷ App., 266.

portant are the instances for this decade of the removal to a higher court of cases before the justices of labourers; for, although not numerous, they are significant as to process.¹ Three out of the four cases involve villeinage as an issue; two out of these three record picturesque attempts of ambitious villeins to bring actions on the statute of labourers against their masters. The substance of these cases must be dealt with again in a later section in connection with the relation of the labour legislation to villeinage;² at present it is the fact of an appeal to a higher authority that is to be considered. The case recorded in the chronicle of the abbey of Meaux deserves careful study from the point of view of procedure.³ Some villeins bring suit before the justices of labourers against their lord the abbot on the plea that he has eloiigned their ploughmen contrary to the statute of labourers; after they had been adjudged in mercy on the ground that the abbot is not bound to answer in an action brought against him by his villeins, they complain to the king that the justices had pronounced an unjust judgment against them and claim that they are not villeins of the abbot but of the crown. The king issues a writ summoning into chancery the records of the proceedings before the justices of labourers and also bids the abbot appear in person before him to answer the plea as to ownership; the chronicler goes on to say that the abbot

¹ The issue from chancery of writs of *certiorari* demanding from the justices the records of processes of outlawry that had been carried out by their orders need not be discussed here; it is the regular course of events before a pardon of outlawry can be obtained from the king. Cf. Fitzherbert, *New Natura Brevium*; 554, and app., 239 and F, 2.

² Pt. ii, ch. ii, s. 6.

³ *Chron. de Melsa*, Rolls Series, iii, 127-142; quoted by Savine in "Bondmen under the Tudors" in *Trans. Royal Hist. Soc.*, xvii, 254, and by Petit-Dutaillis in introduction to Réville's *Soulèvement*, xxxvii.

by means of presents to the chancellor and in spite of the hostile attitude of others of the council obtains permission to appear by attorney; the question of the ownership of the villeins was finally tried before the justices of assize and was settled in favor of the abbot.

The two other villein cases are found among the County Placita. In the first, a writ of *certiorari* had bidden the justices of labourers in Bedfordshire send into chancery a copy of certain proceedings held before them;¹ the document is endorsed by David de Woll[ore],² who was at this date keeper of the chancery rolls, at the instance of John de Herlyng,³ (usher of the kings' chamber), but I have no clue as to the outcome. In the second, there had been a similar writ to the Surrey justices of labourers; the endorsement of the transcript of the proceedings is "to the chancellor of our lord the king"⁴ and possibly indicates that the final decision was left to the chancellor. It is to be noted that in all these cases judgment had been given by the justices of labourers before the issue of the writs of *certiorari*.

The fourth case has been mentioned several times; it is that of the two Surrey justices, de Roulegh and atte Wode by name. After they had been removed from their commission, as a result of complaints to the council,⁵ their former colleagues in their sessions proceed to bring indictments against them for their misdemeanors as justices; but before a judgment or a verdict is reached, the court of king's bench issues to the acting justices a writ of *certiorari*, summoning before it all the records in the case, and after lengthy proceedings, finally acquits atte Wode, but convicts de Roulegh of the offence for

¹ App., 244-248.

² Cf. *Cal. Close Rolls*, ix, index.

³ *Ibid.*, *loc. cit.*

⁴ App., 248-250.

⁵ See pp. 30-32.

which he had been indicted in quarter sessions, and fines him heavily.¹

The Coram Rege Rolls during the latter years of the reign contain many instances of proceedings before the joint commissioners of the peace and for labourers, summoned into chancery by writ of *certiorari* and then sent by a *mittimus* into the court of king's bench;² undoubtedly with the better organization of the justices of the peace, this method of control of their action became more usual.³ It is characteristic of the English system that no administrative control was provided by the statute of labourers for the justices who were to enforce it;⁴ and equally characteristic that on the whole the supervision of the justices by the central government was very steadily exercised; in turning to the subject of the disposition of the penalties, the thoroughness of the control exercised by the exchequer is still more striking.

¹ App., 211-213; also p. 41.

² Strangely enough in 41 *Lib. Ass.* pl. 22, the use of the writ of *certiorari* is limited to its issue by chancery; *cf.*, however, Fitzherbert, *op. cit.*, 554: "The writ of certiorari is an original Writ, and issueth sometimes out of the Chancery, and sometimes out of the King's Bench."

³ *Cf.* Beard, *op. cit.*, 154. I print in the appendix one such appealed case although it is of a later date than the decade under consideration.

⁴ *Cf.* Beard, *op. cit.*, 151: "In English practice, no special institutions were ever constituted for administrative control or to provide remedies against officers as such."

CHAPTER III

THE DISPOSITION OF THE MONEY PENALTIES ¹ UNDER THE STATUTES OF LABOURERS

THAT the profits of justice are the essential element in the mediaeval system of law ² is clearly illustrated in the persistent contest to establish a right to the money penalties under the statutes of labourers, a contest carried on by means of every possible legal technicality.³ Normally the issues of courts under the jurisdiction of justices appointed by the central government belonged to the crown, with special privileges for the owners of certain franchises; but in the case of these penalties, the taxpayers made a notable attempt to assert their right against the crown, while the crown in its turn strove to lessen the share obtained by the lords of franchises.

From the point of view of the disposition of these penalties, the decade under consideration may be divided roughly into two periods of about equal length:⁴ 1349-1354, and 1354-1359, with the first of which the present section deals.

¹The term "fine" used in my article in the *E. H. R.* is not sufficiently accurate from the mediaeval standpoint, especially in view of the important distinction made by the exchequer between "fines" and other forms of money penalties.

²*Cf.* Maitland, *Domesday Book and Beyond*, 277-278.

³The contest was not confined to legal means; the instances of misappropriation are numerous.

⁴Since the first triennial runs through Easter, 1351, while the second does not begin till Easter, 1352, there is, strictly speaking, a year which must be classed with the second period.

1. *Period of the triennial grants of 1348 and 1352; the claims of the taxpayers*

The immediate economic effects of the plague, the fall in rents, the rise in wages, and in prices,¹ injured chiefly the taxpayers, who were, for the most part, the owners of land and the employers of labour, and rendered still heavier their burden of taxation already grievous enough because of the costliness of the French war.² In view of continuous difficulties in the collection of the full amount of the taxes, the experiment was tried of applying in aid of the current subsidy the money penalties under the statutes of labourers, which, in by far the largest number of cases, must have come from the pockets of the wage-earners.³ To the employers of labour there undoubtedly seemed a peculiar fitness in the ingenious device to secure contributions from the one class in the community the economic condition of which had been improved by the plague. The scheme was used twice, first in relation to the grant of 1348, and secondly to the grant of 1352; but while the latter measure has attracted some attention, the former has been almost ignored⁴ and must now be described in detail.

A. *The tenth and fifteenth of 1348*

In the spring of 1348, a tenth and fifteenth were granted by the commons to be paid at Michaelmas and Easter for

¹ See pp. 4-5, 87-92. Gasquet, *The Great Pestilence*, 197-198, even claims that the king issued the ordinance for the express purpose of preventing the landowners from making the high wages extorted from them an excuse for their failure to pay their taxes.

² *Rot. Parl.*, ii, 227a; the destruction by the plague of all the inhabitants of certain towns rendered still heavier the pressure of taxation on the survivors in other districts.

³ *Cf.* pt. 1, ch. ii, ss. 3, 4 and 5.

⁴ For a brief reference to this earlier attempt, see my article in *E. H. R.*, 519-521.

three successive years,¹ in the manner that had become customary since 1334.² The writs appointing the three sets of collectors are identical in form with those of preceding years,³ but shortly after the issue in the summer of 1349 of the writs for the second year, important supplementary instructions are given to the collectors. The ordinance of labourers framed by the king's council had been proclaimed in June; in November, as a result of complaints from members of the community⁴ that the excessive wages extorted from them by labourers, contrary to the ordinance, prevented them from paying their share of the subsidy, letters patent were issued to all the collectors⁵ directing them to assess upon labourers the sums received by them in excess of the legal wages or prices, and to levy the same in aid of the subsidy;⁶ the collectors and their deputies, also bailiffs and constables, (there is no mention of justices) are empowered to imprison obstinate offenders until they refund the "excess" and give security for good behaviour. The collectors, when necessary, are to obtain evidence by

¹ *Rot. Parl.*, ii, 200-201; first year, Mich., 1348, and Easter, 1349, previous to the ordinance; second year, Mich., 1349, and Easter, 1350, subsequent to the ordinance; third year, Mich., 1350, and Easter, 1351, the last collection being subsequent to the statute.

² Dowell, *Hist. of Taxation*, i, 97; by this time a fixed sum apportioned definitely throughout the country.

³ Orig., 22, m. 53, Anglia; 23, ms. 52-54, 16 July; 24, m. 22, 20 July.

⁴ "Ex populari conquestione;" doubtless expressed through petitions to king and council.

⁵ App., 258-261. The *Cal. of Letter-Book F*, 199-200, contains the enrollment of the writ for London, "Q 101 operarii capiant stipendia ut solebant et non ultra," and also of a writ to the sheriffs ordering the proclamation of the ordinance of June.

⁶ Cf. p. 82 for an analysis of the difference between the penalty here ordained and that of the more famous ordinance; Barrington, *Observations upon the Statutes*, 207, considers that this "improper" distribution of the penalties possibly caused the neglect of the measure.

sworn inquest and are to have the assistance of the sheriff in enforcing obedience. With the cessation of this tenth and fifteenth, the said "excess" is to be levied in aid of the king *per illos quos ad hoc duxerimus assignandos*. Internal evidence shows that these instructions were drawn up by the king's council¹ and that they can properly be described as *secunda ordinacio*.² It is clear that by this renunciation of what would normally be a source of profit to the crown, the council hoped to conciliate the discontented taxpayers; the sequel shows, however, that it had determined to interpret the concession in its narrowest and most literal sense.

The writs of July, 1350, for the collection of the third year of the subsidy,³ were followed by a repetition of the provisions as to the "excess," addressed as before to the collectors throughout England.⁴ It is, therefore, somewhat

¹ Since there appears in the beginning of the writ, "*cum . . . de consilio prelatorum, nobilium, aliorumque peritorum nobis assistencium, ordinauerimus*," followed by a clause of the ordinance of 18 June, and then "*ex deliberacione dicti consilii nostri, adiciendo duximus ordinandum*," followed by the provisions for the application of the excess, it is evident that the same council was responsible for both measures, and it has already been said (p. 2) that the ordinance of labourers was the work of the king's council.

² "*Dictam primam ordinacionem*" is the phrase in the above writ applied to the June ordinance; "second ordinance" is therefore preferable for the writ, rather than the "conclusion of the ordinance," the title used in the *Statutes of the Realm*, i, 309, for an undated document, printed from MS. Reg. 19 A, xiv, British Museum, and almost identical with the writ under consideration. The former is in the third person while the writ is, of course, in the first, and has a longer preamble as well as some additional paragraphs at the end, important for procedure. In the Museum manuscript the "conclusion" follows consecutively after the last clause of the June ordinance and includes the instructions to the bishops *etc.*, which really belong only to the earlier measure.

³ *Supra*, p. 100, note 3.

⁴ Orig., 24, m. 13, 1 Oct.; "*De decima et quintadecima de operariis*."

surprising that an examination of the accounts of the last two years of this subsidy, as well as of the numerous processes on the Memoranda Rolls against delinquent collectors, has failed to reveal for the period previous to the enactment of the statute a single reference to the "excess;" from other sources, however, it is clear that the council's measure was not entirely ineffective. Special difficulties in certain counties, evidently reported to king and council,¹ made requisite more specific instructions: early in January, 1350, information of the obstinate refusal of some labourers in Hampshire to pay the sums assessed upon them resulted in a mandate to the collectors to imprison the delinquents in Winchester castle; a similar writ was directed to the collectors of Essex.² The collectors of the latter county were apparently accused of over-zeal, and a few months later, it became necessary to check their proceedings against those labourers who had already spent their illegal gains, and were therefore actually incapable of refunding the "excess;" imprisonment only made them poorer and deprived the community of their services at the very time when there was such a dire scarcity of labourers. The collectors of Somerset and of Middlesex were similarly restrained but were also empowered to imprison bailiffs, constables, sub-collectors and jurors who had proved remiss in assisting them.³ Difficulties in Essex were continuous, while Norfolk and Stafford are added to the list of troublesome counties.⁴ The over-zeal of the Essex collectors was not

¹ "Ac iam intelleximus" is usually the reason alleged for the additional mandate.

² Pat., 23, pt. 3, m. 10 d, 2 Jan.; "De capiendo seruitores qui soluere recusant quintamdecimam." The first portion merely summarizes the second ordinance; cf. *Cal.*, viii, 456-457.

³ App., 261-262.

⁴ Orig., 24, m. 16, "De decima et quintadecima pro operariis;" Essex, 8 Nov.; Norfolk, 18 Dec.; Stafford, 20 Dec.

entirely disinterested; when the court of king's bench met at Chelmsford in the autumn of 1351, Edmund de Northtoft, referred to as collector¹ and also as *justice sur laborers*, was indicted for extorting from labourers during the year 1350 large sums which he had appropriated to his own use instead of paying in aid of the subsidy.² A similar charge is brought and substantiated against de Sutton, described as appointed to collect the subsidy and to inquire into the matter of illegal wages.³ This explicit statement of the double set of duties belonging to the collectors shows how inevitable must have been the conflicts between them and the justices of labourers, in the counties where the latter were acting.⁴ Examples occur in Northampton and Leicester; in June, 1350, on complaint of the taxpayers,⁵ the justices appointed to enforce the ordinance of labourers, are accused of planning to send directly into the exchequer both the "excess" and the fines levied on labourers convicted before them, instead of turning over the "excess" to the subcollectors according to agreement.⁶ A writ to the justices orders the distinction to be observed; the "excess" is to go in aid of the subsidy, but the fines directly to the crown, *ut est justum*.⁷ As late as 1357, there is evidence that the crown is still trying to collect "fines, issues and amercements" before justices of labourers in Dorset for the 24th year, "excess" being distinctly omitted and presumably having already gone to the subsidy.⁸ The few

¹ He was collector for Essex in 1349 and 1350; *cf.* references to Orig., p. 100, note 3, *supra*.

² App., 265-268.

³ App., 264-265.

⁴ Either under a joint commission of the peace and for labourers or under a separate commission for labourers; see pt. I, ch. i, s. 1.

⁵ "Sicut ex populari conquestione nobis datur intelligi."

⁶ "Concordiam supradictam," *i. e.*, as stated in the second ordinance.

⁷ For the reference, *cf.* p. 11, note 5.

⁸ For the reference, *cf.* p. 11, note 3.

commissions for enforcing the ordinance of labourers that are enrolled for this period all contain some reference to the application of the excess to the subsidy;¹ in the separate commissions for labourers issued for Lindsey and Suffolk, a careful line is drawn between the powers of the justices of labourers and those of the collectors, while in the other cases the justices are empowered to inquire as to whether the collectors have carried out their instructions for the assessment and collection of the "excess."

From this evidence certain definite conclusions may be drawn: it is clear that for nine counties, at least, there was a vigorous attempt to apply the "excess" in aid of the subsidy; and since no provisions are recorded as to methods of accounting it is probably a fair inference that in other cases also the total tax included such "excess;" but it is, of course, impossible to make any estimate as to the amount. It is to be recalled that the number of appointments of justices of labourers for this period is too few to explain the statement in the preamble to the statute that commissions were issued for each county; since the collectors were to assess as well as to levy the penalties technically known as the "excess" it is more than probable that the statement applies to them and that the council intended that they should have a large part of the burden of the enforcement of the wages and price clauses of the ordinance of labourers and that the justices should be responsible to the crown for all other forms of penalties, amercements, fines *etc.* imposed under the ordinance.² The clumsy division of power between the two sets of officials, the lack of specific provisions as to their relation, the absence of definite instructions as

¹ Pages 10-13. From this statement the commission for Durham must be excepted.

² Page 13.

to accounting and, finally, the determination of the crown to insist on the differentiation in the money penalties, are striking elements of weakness in the measure, and show that the second ordinance, like the first, was inadequate on the administrative side.

The re-enactment of the substance of the council's scheme by the statute of February, 1351, when there was only one more payment of the grant to be made, represents a belated attempt to remedy these administrative defects and also embodies, at the urgent petition of the commons, a further concession of revenue by the crown: it is now specified that fines as well as "excess" shall go in aid of the subsidy; that all the penalties are to be assessed by justices to be appointed under the act, that the estreats shall be delivered by them to the collectors by a system of indentures, so that the latter may be called to account at the exchequer; the penalties are to be levied by the collectors and are to go in aid of the districts in which they were imposed, but if in any place the total exceeds the tax, the surplus is to go to the next poorest district; with the cessation of this subsidy, the penalties are to go to the king and be accounted for by the sheriff.¹ At the eleventh hour of the grant, it is not surprising that the more carefully worked out scheme failed to have much result; the subsidy accounts are still silent, but on the Memoranda Rolls there are two important actions brought against the collectors of Surrey,² and of Gloucester,³ on the ground of failure to distribute the

¹ App., 16. The form of the commission in the full list issued as a result of the statute (app., 23) still includes the same clause as to the relations between justices and collectors that had appeared in the commissions of the first period; one would have expected some modification of it.

² App., 262-264.

³ Mem. L. T. R., 32, Mich., Fines, rot. 2, Gloucester; on 30 March

penalties; in both instances the distribution is finally completed. The charges against de Northtoft previously referred to include also indictments for the year 1351;¹ he is accused in several districts in Essex of exacting penalties from labourers and, nevertheless, of levying the total amount of the subsidy, evidently not giving the taxpayer the benefit of the "allowances."

Although only a partial measure of success can be attributed to the council's attempt to lessen the pressure of taxation, the experiment had at least shown the commons where hope of relief lay. When the next opportunity came, forewarned by the previous difficulties, they were ready to repeat the experiment, with a completeness as to details which left little room for failure.

B. *The tenth and fifteenth of 1352*

Within a few months the opportunity came. In the second parliament of the 25th year, which met on 13 January, 1352,² the chief-justice, on the ground of the war with France, asked for another subsidy; in response, the commons complained of their great impoverishment owing to the late deadly pestilence and to the weight of past taxes.³

(therefore after the enactment of the statute) the collectors against whom this charge is brought had received the now familiar additional instructions of the second ordinance: "*Quod excessus salariorum seruientum leuetur ad opus Regis*," enrolled in Orig., 25, m. 3. The list of collectors here referred to is slightly different from that of the previous summer; see *supra*, p. 100, note 3.

¹ App., 267. The long process against him in the exchequer for failure to account as collector contains no reference to the subject of the "excess."

² The session lasted till 11 Feb., thus running into the 26th year, see list in app., 8.

³ *Rot. Parl.*, ii, 237; Jessopp, *Coming of the Friars*, 255-257, writes: "The Commons were quite equal to making the most of any calamity that occurred."

but in view of the king's necessity they granted him a triennial tenth and fifteenth to be paid at Easter and Michaelmas, 1352, 53, and 54,¹ making the stipulation, however, that all forms of money penalties under the statutes of labourers, fines, "excess," issues and amercements, including those already collected, should be allowed them in aid of the tax.² The king agreed to the condition for the period of the grant but in modification of the provision in the statute that the penalties should go to the districts where they had been imposed, he insisted that they should be distributed among the districts according to their relative needs.³

The abundance of data in existence as to the result of this second experiment makes possible a detailed account, and furnishes a vast amount of information on the relation of the statutes of labourers to the life of the times.⁴

¹ *Rot. Parl.*, ii, 237b: "Et puis apres longue trete et deliberation eues par les Communes ove la Communalte, et l'avis d'ascuns des Grantz a eux envoiez, . . . si vindrent les dites Communes devant notre Seignur le Roi et touz les Grantz en Parlement"

² *Ibid.*, 238a: "C'este la forme du Grante de trois Dismes et Quinzismes grantees a notre Seignur le Roi ore en cest present Parlement par les Grantz du Roialme et par tote la Commune . . . sur la Condition que ensuyt"

The commission to the collectors (app., 269) refers to the application of the penalties as granted by the king, "ad requisicionem eiusdem communitatis de assensu prelatorum, ducum, comitum, et baronum." Many years later, the grant is described as made by the king, "par avisement de son bone Counseill" (*Rot. Parl.*, ii, 409b); the first statement is probably nearer the truth.

³ *Rot. Parl.*, ii, 238a: "Il plect a notre Seignur le Roi & a les Grantz de la terre que la Commune eit touz les fyns, amerciements, & issues, forfaitz des ditz laborers & artificers, contenuz en l'Estatut fait au darrein Parlement, en eide de lour Disme et Quinzisme durant le temps des dites Dismes et Quinzismes triennales; sauves a chescun Seignur lour franchises sanz nulle emblemissement. Et l'entent notre Seignur le Roi & de son Conseil est, que ceste Eide soit en oeps des Povres des Villes & lieux gastes, et autres qi plus de meister en ont, par avis des Justices a ceo assignez."

⁴ For an account of the manuscript sources, see app., 255-258; 312-314.

(a) *System of collection and distribution of the penalties.*—Not only have the commons been explicit in their demands that all possible penalties under the statutes should be granted to them, — in contradistinction to the council's former limitation to the "excess," — but they are resolved that the officials concerned in carrying out the measure shall have specific instructions as to ways and means. Therefore, during the same session of parliament, the commons drew up, in the guise of a petition to the king and the magnates, comprehensive and detailed directions for the actual collection and distribution of the penalties.¹ This petition is granted and a copy² is sent to the collectors in each county, together with their commission; the latter now includes a reference to the concession as to the penalties and states that they are to be levied *iuxta formam nobis in dicto parlamento per dictam communitatem liberatam et per nos acceptatam quam vobis mittimus*.³ The method prescribed

¹ Including a request for the appointment in parliament of separate commissions for labourers; *cf.* p. 27.

² The petition is not given in *Rot. Parl.*, but appears in *Statutes of the Realm* as a statute of the 25th year printed from a British Museum manuscript. A copy or perhaps the original draft, exists on a detached membrane among Miscellanea of the Exchequer. 4/39, and the document is likewise enrolled on the Memoranda Rolls, L. T. R., immediately following the enrollment of the commission to the collectors; *app.*, 271. In the Colchester case referred to, p. 130, it is spoken of as "*ordinacionem . . . per consilium Regis factam.*"

³ For the commission of the first year, see *app.*, 268-271, and also *Orig.*, 26, m. 27, 25 Feb.; Anglia, "*De decima et quintadecima per laicos concessis.*" For the second and third years, *cf. ibid.*, 27, m. 25, 26 Jan., and 28, m. 29, 26 Jan.

Gasquet, *The Great Pestilence*, 197, referring to the Originalia enrollment of the 26th year, conveys the impression that this document is the grant of the penalties instead of making clear that it is merely the commission issued as a result of the grant. His two other references to the Originalia, on the disregard of the ordinance, 26, m. 25 (on p. 108), and the inability of the justices to levy the penalties, 27, m. 19 (on p.

in the "form" is as follows: the justices of labourers in each county, at the end of the session, in the presence of the collectors and of the most distinguished knights and serjeants of the county, shall certify to the total sum of the proceeds of the session; representatives from each hundred shall be chosen to make sworn reports as to the relative impoverishment of each district; on the basis of these reports, the joint committee, composed of all the above, shall apportion this total in such a manner that each district according to its needs shall be "allowed" a share; the collectors shall then receive the estreats from the justices by a system of indented receipts and shall proceed to levy the penalties as scheduled, and to collect in each district the difference between the amount of the tax as originally assessed and the amount "allowed" to it in penalties by the committee of apportionment. In accordance with the retroactive clause of the measure, it is specified that arrears of penalties not already paid in aid of the grant of 1348, and also all penalties imposed during the gap between the two grants, shall go towards the present subsidy;¹ and that any estreats already received at the exchequer shall be now delivered to the collectors.²

197), I have been unable to find. As my book goes to the press Gasquet's new edition reaches me but proves to contain the same errors.

It is to be remembered that in the earlier experiment the commissions to collectors had not mentioned the statutes of labourers but had been followed by a supplementary series of writs; *cf.* p. 100.

¹ "Tut le Profit provenant des fyns, issues, amerciments et excesses levez, et a levers" (*Rot. Parl.*, ii, 238a) becomes in the "form" "toutz les fynes . . . que sount ou serount leuez ou prises des laborers . . . de la feste du Pasche drayne passe tanques a dreyn terme du payement des dismes et quinzismes susditz" and is then followed by the provision for arrears. It is to be remembered that the triennial of 1348 had expired at Easter, 1351.

² After the end of the grant of 1348, process had been begun by the

In spite of the care exercised by the commons to provide for every contingency, there are two instances where further general instructions prove necessary. As a result of complaints to the court of exchequer of embezzlement of the penalties *per diuersos ministros Regis*, it is provided that the justices of labourers, in addition to the delivery of their estreats to the collectors, shall send duplicates to the exchequer and it is explicitly declared that the collectors must account at the exchequer for levying the penalties in aid of the communities in accordance with the estreats; but they are reminded that whatever has not been levied at the time of the expiration of the subsidy shall go directly to the king.¹ It is to be noted that this additional safeguard for accounting is offered as an amendment to the provision of the statute of labourers for the disposition of the penalties, instead of to the provision of the grant of 1352; it is, therefore, clear that the clause in the statute, while apparently intended only for the subsidy of 1348, was held to apply to the new subsidy also; the significance of this fact lies chiefly in the method of dealing with arrears, as will be seen later.

exchequer against the justices of labourers for the delivery of their estreats (*cf.* pp. 44, 132); but on 9 Feb., 1352 the treasurer reported the new grant to the barons and stopped the execution of the writs against the justices. *Cf.* Mem. L. T. R., 26, Hill., Communia, rot. 5, Anglia; "De non distringendo iusticiarios pro liberatione extractarum de seruitoribus;" "Memorandum quod Rex ad petitionem communitatis regni in instanti parlamento concessit eidem communitati quod omnes denarios etc." The estreats for Essex, already delivered, are sent from the exchequer to the collectors in accordance with a writ of the great seal dated 2 March addressed to the treasurer and barons, and enrolled in Mem. K. R., 26, Pasch., Breu. Baron., rot. 1; "Pro Leone de Bradenham et Iohanne de Depeden." Similarly, the estreats for Dorset are sent to the collectors; Mem. K. R., 26, Hill., Breu. Baron., rot. 28, "Pro communitate comitatus Dorset."

¹ App., 273-275. An action was brought against the Derby justices for the delivery of their duplicate estreats; app., 281-287.

The other instance to be considered is a question of the interpretation of the terms of the grant. The exchequer had refused to permit the collectors in Buckinghamshire to include in their allowances to that county the penalties under the statutes of labourers imposed by the justices of the court of king's bench; on complaint of the collectors, the king issued a writ to the treasurer and barons informing them that penalties under the statutes of labourers imposed by all justices, whatever the court, belonged to the communities in aid of the subsidy.¹

From this summary of the specific instructions given to the officials concerned with this grant, it is easy to see that the second experiment has remedied all the obvious elements of weakness of the council's measure,² and, by greater explicitness as to the administrative details, marks an advance also over the provisions of the statute of labourers. Leaving for a later section the discussion of cases of actual misappropriation by officials and also of the relation of the amount of the penalties to the amount of the tax, the practical working of the scheme must now be examined as it is revealed in the original accounts of collectors and justices and in documents connected with these accounts, and also in the various exchequer enrollments.³

The normal sequence of events in each county is as follows: the total amount of the profits arising from the sessions of the justices of labourers is ascertained,⁴ and then

¹ App., 275-276; 328-329. The exceedingly large amount of the penalties in this county is perhaps explained by this decision. It is to be noted that arrears are included; the list goes back to Easter term, 1349, evidently an error, as the ordinance was not proclaimed until June of that year.

² See preceding section, pp. 104-105.

³ See app., 255-258; 312-314, for an account of these documents.

⁴ To this total must be added the sum of the penalties from the two upper courts.

before the joint committee can proceed to make the apportionment, the sum due as salaries to the justices is subtracted from this total,¹ in accordance with writs under the great seal to the collectors bidding them pay these salaries at a specified rate per day.² The collectors receive receipts from the justices which they show when rendering their account at the exchequer.³ In cases where the total penalties are only just enough for the salaries,⁴ or do not even cover these,⁵ the communities can, of course, receive nothing; when, however, there is a surplus beyond the salaries, the apportionment is made on the oath of the collectors and twenty-five or thirty elected representatives from the county, and with the advice or the assent of the justices,⁶ acting on the reported needs of the various districts. The resulting schedule states the exact amount that each district is to receive in penalties and is turned over to the collectors to-

¹ See app., 325-326, and also p. 45.

² Only the first series of these writs appear on the Close Rolls; for an account of them, see p. 18, note 2, and p. 46. The original writs to the collectors and their receipts from the justices exist for Derby and for Herts.; app., 276-277, and Lay Subs., 120/31 and 120/32, Herts.

³ *E. g.*, Mem. L. T. R., 29, Hill., Status et visus compotorum, rot. 1, Essex: “. . . de quibus (*i. e.*, the total penalties) dicunt se soluisse iusticiariis pro vadiis suis de dicto tercio anno xl li. per breuia super hunc visum ostensa . . .” Cf. also “pro feodis suis per duo breuia Regis et duas acquietancias ipsorum iusticiariorum separatim de receptione;” app., 303.

⁴ Derby, third collection; app., 335; Rutland, third collection; no account of penalties “eo quod nichil excedit ultra vadia iusticiariorum, sicut continetur in compoto suo de huiusmodi finibus;” Enrolled Subs., 14.

⁵ Holland (Linc.), third collection, “denarii in extractis predictis collectoribus per iusticiarios huiusmodi servientium liberatis non sufficiunt ad vadia iusticiariorum solvenda;” Enrolled Subs., 14; *ibid.*, Surrey, first collection, the same excuse, but for further information on this case, cf. pp. 123-124.

⁶ See app., 323-326; 356-358, for examples.

gether with a copy of the estreats for which they give receipts to the justices, while a duplicate copy is sent by the latter to the exchequer. The collectors now pass on to the subcollectors in each district (who are often the constables), the estreats of the penalties imposed in that district, together with the memorandum of the amount "allowed" it in penalties by the committee of apportionment. It is evident that each district might receive as an allowance the exact sum to be levied on it in penalties; in this case, the subcollectors' task is to collect the penalties and the difference between their amount and that of the tax, so that the total to be raised by them is no greater than according to the original assessment; but it is equally evident that with the plan of giving most aid to the neediest districts, the subcollectors, while sometimes receiving a larger sum of penalties than they had been forced to collect, might also have to levy a larger sum than would be "allowed" their district, and thus would have additional labour with no corresponding benefit. The Colchester case, which will be referred to later, is an excellent example of the friction naturally arising from such a situation.¹

The existence of several of the original schedules of penalties imposed by the justices² (probably the duplicates called for by the exchequer) makes possible a direct comparison with the memoranda of apportionment and seems to warrant the inference that the simpler method of the statute was the more usual; that is, the "allowance" to each district normally equalled the sum imposed in penalties within that district.

After receiving from the subcollectors the quota due from them, the collectors make up their accounts in various ways. Very often they give the amount of the tax,

¹ See p. 130.

² App., 332-334; 338; 361.

district by district, and then, after the total, add a formula which varies in details, but is substantially as follows: *infra quas summas continentur . . .* (figures) *de finibus, exitibus et amerciamentis seruientium et operariorum, sicut memoratur in quodam rotulo rotulis de particulis huius compoti consuto*.¹ The additional *rotulus*, when in existence (it has often disappeared), shows the share of penalties received by each district, and is either in the form of the original memorandum of apportionment² or of a schedule of the amount of the estreats delivered to each set of subcollectors;³ sometimes the two sets of figures, tax and penalties, appear on consecutive membranes, with no distinct *rotulus*.⁴ Very commonly, however, on the membrane containing the tax account, the collectors add, opposite to the amount of the tax for each district, a formula somewhat as follows: *inde de Xma et XVma . . .* (figures), *de excessu laborariorum . . .* (figures).⁵ In accounting at the exchequer for the tax and for the penalties the collectors must show receipts from the justices for payment of their salaries and also from the subcollectors for the distribution of the penalties; several bundles of both types of receipts are in existence.⁶ Thus, an action is brought against the collectors of the West Riding, because in accounting for the distribution of large sums of penalties, they had shown no acquittances; they finally produce in court 449 receipts signed by constables and various others, which

¹ In collectors' accounts, both original and enrolled, *passim*.

² App., 323-324; 355.

³ App., 322-323; 347-348.

⁴ App., 340-342.

⁵ App., 349. In one case the following system is used: sum of the penalties, 6d.; sum of the tax, 24s.; "et sic deficiunt" 23s. 6d. Cf. app., 361.

⁶ For the first, cf. p. 112, note 2, and for the second, see app., 334-335, and 342-343.

are not accepted as valid until investigated by a commission of the exchequer.¹ If the collectors are not able to answer for the penalties, they add at the end of their accounts a sworn statement as to the reason; the justices had failed to make the apportionment,² or had held no sessions,³ or had delivered the estreats too late,⁴ or very frequently had not delivered them at all.⁵ It will appear later that the collectors must often be accused of perjury; but occasionally it is the justices who, on being summoned before the exchequer, admit that they have been the delinquents.⁶

¹ See p. 119, note 1, for reference.

² Lay Subs., 77/20, Bucks., third collection: the justices "sessionem suam super ordinacione et avisamento inter eos (*i. e.*, collectors) et alios de communitate eiusdem comitatus ad distribuendum particulariter per villatas, civitates et burgos comitatus predicti iuxta formam, vim et effectum statuti inde editi in auxilium xv^{mo} et x^{mo} predictarum nondum fecerunt in comitatu predicto, vt dicunt super sacramentum suum."

³ Lay Subs., 90/16, Cumberland, first collection: "Iusticiarii de huiusmodi servientibus, operariis et artificibus in comitatu predicto non sederunt."

⁴ Enrolled Subs., 14, Worcester, first collection: "Extracte iusticiariorum huiusmodi operariorum, seruientium et artificum eis die Lune proximo post festum Purificacionis beate Marie anno xxvii^o per iusticiarios liberate fuerunt quod propter breuitatem temporis nichil inde leuare potuerunt, vt dicit per sacramentum suum."

⁵ Lay Subs., 103/27, Dorset, first collection: "Infra quas summas non respondent de aliquibus denariis provenientius de finibus, amerciaementis operariorum pro excessu eo quod iusticiarii Regis in hoc comitatu nullas extractas dictis collectoribus inde liberauerunt nec iidem collectores quicquam leuauerunt, ut dicunt per sacramentum suum."

⁶ Mem. L. T. R., 28, Hill., Recorda, rot. 3, "De collectoribus secundum anni solucionis xv^{mo} et x^{mo} in Northrydyng allocutis de finibus operariorum;" the justice admits that he had failed to deliver the estreats. *Ibid.*, 28, Hill., Presentaciones, rot. 2 d, Lindsey (Linc.), De die dato; Skipwith "presens hic in curia" admits that he and his companions had not delivered the estreats to the collectors; therefore the latter are "sine die." *Ibid.*, 29, Trin., Recorda, rot. 8 d, Newcastle-on-Tyne; the same statement is made. For the case of London, *cf.* pp. 136-137.

Their duplicate estreats, too, are not always forthcoming and are sometimes obtained only as the result of exchequer action extending over a number of years.¹

Even if the collectors were zealous in the performance of their duties, it is easy to see that a system involving the ready coöperation of so many different sets of officials, would not always work smoothly. Possible reasons for laxity on the part of subcollectors have already been mentioned; the justices of labourers have sometimes proved remiss in holding their sessions or in delivering their estreats; and in several cases the collectors' excuse for not levying the penalties is that the sheriff and his subordinates had not assisted them.² In view of all these difficulties, and also of the fact that the payment of the full amount of the tax could not, of course, be delayed, it is evident that, even not including cases of actual embezzlement by the collectors, there would be frequent instances of arrears of penalties.

Without here raising the question as to whether the arrears are due to actual dishonesty on the part of any official, the exchequer method of dealing with them must now be examined, first of all during the period when the subsidy was still running. If, for a given collection, the justices have been dilatory as to their estreats, they are ordered by

¹ App., 281-287, referred to on p. 110, note 1, *supra*.

² Mem. L. T. R., 28, Mich., Breu. Ret., d, Hunts.; the coroners are ordered to distrain the sheriff on the ground that "*vicecomes et ministri sui non sunt intendentes eisdem collectoribus*" in levying the penalties. *Ibid.*, 28, Pasch., Recorda, rot. 8; De quadam summonicione restituta per collectores secundi anni solucionis x^{mo} in comitatu Dors'; and *ibid.*, 29, Pasch., Breu. Ret., rot. 2 d, Dorset; the coroners are ordered to distrain the sheriff, John de Palton, on the ground that he had not done his duty in levying the penalties. *Ibid.*, 29, Mich., Breu. Ret., Shropshire; the king's serjeant-at-arms is ordered to attach the collectors because the sheriff had failed to return the writ. Cf. also p. 117, note 7 for another instance of a delinquent sheriff and p. 137.

writ of the treasurer (sometimes at the urgent request of the collectors themselves) ¹ to deliver them to the collectors of the following year; ² if the collectors in accounting prove to have estreats which they confess not to have levied, these estreats are sent (also by writ of the treasurer) to the next set of collectors, who are instructed to levy the penalties in aid of their year of the tax; ³ if the collectors admit having in their possession some portion of the penalties which they had levied but not distributed, ⁴ two writs are issued by the treasurer, one to the aforesaid collectors ordering them to deliver the money to the collectors of the following year, and the other to the latter bidding them receive and distribute it. ⁵

The arrears of the third year belong to the period when the subsidy had ceased to run; for a few months after Michaelmas, 1354, ⁶ there are instances when the collectors are ordered to levy the penalties according to the estreats and distribute them among the needy districts, ⁷ but the

¹ App., 287.

² App., 278.

³ App., 279.

⁴ In such a case the subcollectors must have been persuaded to levy penalties which were not going to be of any direct benefit in lessening their labours, as they had already collected the total amount of the tax.

⁵ App., 279. In the instance here given the first order is merely referred to.

⁶ 28th year; but Michaelmas, 29th year, in the exchequer. Cf. app., 256.

⁷ Cf. Mem. L. T. R., 29, Trin., Status et visus compotorum, rot. 13 d, Somerset; the collectors at this date, clearly after the cessation of the subsidy, make the following statement under oath: "debent xli s. ii d. qui adhuc restant leuandi et distribuendi inter pauperes villatas dicti comitatus.

Id eo de precepto curie prestiterunt sacramentum de leuando predictos xli s. ii d. et eos distribuendo inter villatas predictas iuxta formam statuti etc., cum ea celeritate qua etc." Finally, in the spring of 1359 indentures are delivered to the exchequer by one of the collectors, containing the correct amount; but the process is continued against the

specification is also made that this is to include only such estreats as had been delivered to the collectors previous to Michaelmas, 1354;¹ now if the tax had been already paid, this is a "rebate" and not an "allowance" system.² There is, however, little evidence to show that this practice of dealing with the arrears was usual; on the contrary, it was plainly to the advantage of the crown to interpret rigidly the terms of the grant of the penalties, *durant le temps des dites Dismes et Quinzismes*;³ and, as has been said, it was found possible to rule that the clause of the statute of labourers applied to this subsidy. Hence, normally any estreats in the possession of collectors after Michaelmas, 1354, were to be levied for the use of the crown.⁴ If money had been levied in penalties previous to Michaelmas, 1354, but was still in the collectors' hands, it was claimed by the crown with the statement that the community had an action of damages against the collectors.⁵ In doubtful cases it had to be proved that the money had been "allowed" to the community, previous to the rendering of the final ac-

other collectors until the spring of 1363 and only ceases then because of a new enactment on the subject of the penalties. It appears that the sheriff had been guilty of not having distrained the collectors to answer for the penalties: "Idem vicecomes (John de Raleigh) presens hic allocutus et examinatus non dedicit quin inuenisse potuit predictos . . . in comitatu predicto post recepcionem dicti breuis et ante diem returni eiusdem et inde submittit se gracie curie." Mem. L. T. R., 34, Mich., Recorda, rot. 2; "De vicecomite amerciato."

¹ App., 280.

² Cf. the case quoted *supra*, note 7 and also Mem. L. T. R., 29, Pasch., Status et visus compotorum, rot. 5, Worcester; the distribution of £40 of penalties is ordered in aid of the tax of the years 26, 27 and 28. Mr. Willard tells me that the rebate system is employed in the grant of the 31st year.

³ Cf. *supra*, p. 107, note 3.

⁴ App., 288-289, and p. 110.

⁵ App., 310.

count of the tax;¹ although apparently it was permissible for the receipts from the constables and subcollectors to be signed later.² This interpretation, of course, means that all estreats not delivered to the collectors were claimed by the crown. Perhaps the most noteworthy instance of the stringency with which the exchequer interpreted the statute to the advantage of the revenue of the crown is a case involving deceit on the part of the collectors, where it is finally shown that the community of the county in question had renounced its rights to a share of the penalties in favor of extra payments to certain individuals who had been zealous in helping the collectors levy the tax; it is decided that since these individuals had not received their bonus till 2 January of the 28th year, after the end of the subsidy, they must refund it to the crown.³

The Memoranda Rolls are full of actions against collectors to compel them to levy *ad opus Regis* the estreats in their possession, and likewise of suits against justices of labourers to force them to send into the exchequer back estreats that had not been delivered to the collectors, in order that they might be levied by the sheriff. Owing partly to frequent laxities on the part of sheriffs in executing the exchequer's writs of attachment and distraint,⁴ many of these cases drag on for a number of years, particularly those involving actual misappropriation by collectors. The annoyance to the exchequer must have been cumulative as the years went by, and the profit to the crown was probably not great; it is, therefore, not surprising that in 1362,⁵ the crown resigned its claim to arrears, in favor of the communities.

¹ Mem. L. T. R., 31, Trin., Recorda, rot. 6; York, W. R.

² *Ibid.*

³ App., 303-305.

⁴ *Cf.* p. 116, note 2.

⁵ *Statutes*, 36 Edw. III, st. 1, c. 14; the immediate cause for the change will be touched on in the next section.

Having thus outlined the main features of the working of the commons' scheme to lessen the pressure of taxation, it is necessary to examine the attempts made by the collectors to defraud the taxpayers of the relief held out to them, and then to endeavor to form an estimate of the net gains accruing to the community in the shape of allowances.

(b) *Embezzlement by collectors*.—Owing to the assertion by the crown of its rights to the arrears of penalties, the communities, as has been shown,¹ were often deprived of their share of allowances by mere remissness on the part of some official or by delays that, from the nature of the case, were inevitable; it will now appear that they also suffered considerable losses from peculation on the part of the collectors. The justices, having to do only with estreats, had few opportunities for misappropriation,² but the collectors, through whose hands the money actually passed, tried various methods of keeping it for their own uses. In view of the thorough system for checking the accounts of the penalties, it is strange that they should have expected to escape detection; it seems almost as if they reasoned that, with the prompt payment of the full amount of the tax, the crown's income from the subsidy would not be diminished by the embezzlement of the penalties and that, therefore, the exchequer would not consider it worth while to bring actions against them. They had, however, failed to count on the eagerness of the taxpayers to secure their quota of allowances, and on the determination of the exchequer to claim all penalties not actually turned over to the communities during the running of the subsidy.³

¹ See p. 116.

² For a few instances on the part of the justices, *cf.* pt. I, ch. ii, s. 7; in comparison with the large number of justices appointed only a small number have been proved corrupt, but of course there may have been undetected offenses.

³ See pp. 118-119.

It has been said that the collectors were often guilty of perjury and the accusation must be made good.¹ Among the sworn statements made by the collectors at the foot of the tax accounts as excuses for not answering for the penalties, and repeated under oath at the exchequer at the time of the rendering of the accounts, by far the most common is the non-delivery of the estreats by the justices.² Unfortunately for the reputation of the collectors, the system of accounting devised by the commons and by the exchequer prevented such an assertion from passing unchallenged. It is proved again and again that these unscrupulous officials had received the estreats and levied the penalties but had appropriated the money to themselves, and under cover of the formula "no estreats" had then raised from each district the full quota of the tax, without giving the community the benefit of an allowance.³ Detection comes in various ways: the justices in delivering their duplicates to the

¹ See p. 115.

² See p. 115 and table in app., 315-321; *cf.* also Mem. L. T. R., 28, Mich., Communia, Fines, rot. 4 d, Leyc': "Manuapcio collectorum xv^s in comitatu Leyc';" they had hoped for more estreats. *Ibid.*, 28, Hill., Presentaciones, rot. 3 d, De die dato, Glouc.; they had received the estreats too late to levy the penalties, but when given more time they are still delinquent.

³ A statistical study should be made of such cases; I am merely indicating some typical examples. Mem. K. R., 27, Mich., Status et visus, Warwick; the collectors first say that they had received no estreats, but finally admit that they had them in their possession. Mem. L. T. R., 28, Mich., Recorda, rot. 26, Suff' "De collectoribus xv^{mo} et x^{mo} commissis prisone pro transgressionibus etc." (a case very much like that for Southampton, given in app., 289-293); the justices of labourers in court accuse the collectors of falsehood. *Ibid.*, 28, Mich., Presentaciones, rot. 13 d, Surrey, De die dato; the collectors at first deny the receipt of the estreats, but finally admit that they had lied and account. *Ibid.*, Sussex, De die dato; exactly the same course of events takes place. An important case in Northampton will be discussed later in this section, pp. 125-126.

exchequer often mention that they have given the other copy to the collectors some months ago;¹ sometimes they call the attention of the exchequer to the discrepancy between this fact and the sworn statement in the collectors' accounts;² and sometimes they flatly accuse the collectors of having levied and kept the penalties.³ Often it is not apparent whence has originated the doubt as to the collector's good faith: *suspicato* is the phrase in one case,⁴ resulting in a cross-examination of the collectors under oath which elicits a confession of their guilt; in another, *iam accepimus*, followed by a writ to the justices asking them to certify as to the fact of the delivery or non-delivery of their estreats.⁵ In one instance, the collectors keep up the pretence of the dilatoriness of the justices to the extent of asking for a writ against them to compel the delivery of their estreats and yet when confronted by them in court immediately weaken and admit that they themselves had lied.⁶ The justices on being summoned before the exchequer have so little hesitation in giving the lie to the collectors that it is easy to imagine that when the two sets of officials met on a joint committee of apportionment their relations were not of the pleasantest.

It is also a matter of common occurrence for the collectors, on being challenged for not having distributed the penalties, to admit that although they had received the estreats they had not levied the penalties;⁷ while, of course, it is not clear that in all such cases they had hoped after

¹ *E. g.*, in the Bucks. case given in app., 301, and in the Northants. case analyzed pp. 125-126.

² In the Northants. case.

³ App., 292.

⁴ App., 290.

⁵ App., 293.

⁶ App., 287-288.

⁷ *Cf. e. g.*, Mem. L. T. R., 29, Mich., Presentaciones, rot. 8, Lindsey (Linc.); prison and fines were efficacious in forcing the collectors to account.

the full payment of the tax quietly to levy the penalties and pocket them, there is frequently evidence pointing in that direction. A more elaborate method of concealing their misdoings is as follows: after levying and appropriating the penalties they would fabricate a detailed memorandum of their distribution, district by district, and this memorandum they would turn into the exchequer when rendering their account of the tax.¹ The weakness of this scheme, if suspicion of their conduct arises, lies in their inability to produce the receipts of the subcollectors or of the constables for the allowances itemized in their falsified accounts. The energetic desire of the taxpayers to obtain their share of relief goes as far as petitions to the king, and results in the appointment of commissions of investigation; but even if the findings are against the collectors, the taxpayers do not get much satisfaction; for it usually happens that the whole matter is not settled until after the end of the subsidy, and under these circumstances the defaulting collectors are forced to make restitution not to the communities but to the crown, though it is added that the former have an action for damages against the collectors.²

Recourse is sometimes had to the court of king's bench in order to check the iniquities of the collectors. In one instance a justice of labourers brings action against the collectors in order to obtain his salary; the latter are convicted of having embezzled the penalties, under cloak of the phrase "not even enough for the salaries of the

¹ Cf. Mem. L. T. R., 31, Trin., Recorda, rot. 6, Ebor', "De collectoribus xv^o et x^o triennialium de secundo anno solucionis earundem in West-rithyng attachiatis ad recitandum compotum inde;" the collectors are "sine die." In an exactly similar case against the collectors of the third year in the same county (app., 306-312) the latter are imprisoned and fined.

² App., 310.

justices," and are fined heavily.¹ Many commissions, recorded usually on the Memoranda Rolls, but occasionally on the Patent Rolls,² were appointed to investigate the misdeeds of the collectors. Frequently as a result of the findings of such commissions and of subsequent imprisonment of the delinquent collectors, the latter eventually pay large fines and also account to the exchequer for the penalties; but much more often, as has been pointed out in the preceding section, the actions against them drag on year after year, involving much effort and time on the part of the exchequer and last so long that the collectors themselves have died and their innocent heirs and executors find themselves involved in bothersome suits. In such cases, it is likely that the final profit to the exchequer is small, and it seems probable that one especially flagrant example of

¹Coram Rege, 27, Trin., Shareshull, 49, Surrey, Henry de Bekwell *vs.* the collectors; "de placito quare cum eisdem collectoribus pluries mandauerat Rex quod prefato Henrico . . . quinque solidos per diem pro vadiis . . . soluerent vel causam Regi significarent quare mandato Regis alias eis inde directo minime paruerunt, iidem . . . spretis mandatis Regis predictis vt accepit Rex, predicto Henrico vadia sua predicta soluere . . . non curarunt." *Ibid.*, 27, Mich., Shareshull, Adhuc de finibus; two of the collectors are fined "pro retencione denariorum de laboratoribus receptorum." *Cf.* Enrolled Subs., 14, Surrey, first collection. In a case in *Lib. Ass.*, 27 Mich., pl. 15, not yet identified on the Coram Rege Rolls, certain collectors are accused of having levied large sums of penalties for which they had not accounted. *Cf.* also Ancient Indictments, no. 19, Dorset, m. 1 [32nd year]: "Iuratores dicunt per sacramentum suum quod Yvo de Childecome, collector x^{mo} et xv^{mo} annis xxviii^{mo} et xxix^{mo} cepit ad vsum suum proprium de amerciamendis laborariorum et vitellariorum quinquaginta marcas in deceptione Regis et ad graue dampnum communis populi . . ."

²*E. g.*, Pat., 30, pt. 2, m. 20 d, 6 June, "De inquirendo de summis leuatis per collectores x^e et xv^e de excessibus operariorum etc.," in the county of Wilts. *Ibid.*, m. 3 d, 3 Oct., "De inquirendo de finibus de operariis receptis;" in the counties of Surrey and Sussex, apparently. In both cases the phrase is "ac iam ex graui querela hominum (of the counties named) intelleximus."

such delay resulted in the statutory change made in the disposition of the penalties.¹ Two sets of collectors for Northampton had failed to account for the penalties, in one case, on the plea of "no estreats," and in the other, with no excuse for the omission; but Henry Grene, the justice of labourers, appears in court with the duplicates, and says that all the collectors had lied. The process dragged on until most of the collectors had died, and their heirs and executors, several of them women, were finally distrained to appear to answer for the penalties, their property having been seized by the sheriff. Finally, in Hilary term of the 36th year they come into court and seek delay on the excuse that *memoranda et munimenta sua premissa tangencia sunt in partibus suis sine quibus in premissis respondere non possunt et petunt diem ulterius etc. vt interim munimenta illa perscrutari possint*. Not until Michaelmas of the same year did they appear with a writ of *supersedeas* issued by the king on 26 November, on the ground of the new statute passed in the parliament that had just sat, giving arrears of penalties to the communities and compelling collectors to account to the keepers of the peace instead of at the exchequer.² A petition to the council printed in the parliament rolls seems to indicate that during these six months the defendants had done something more than examine their

¹ Mem. L. T. R., 31, Hill., Recorda, rot. 5, Norht'; "De collectoribus xv^o et x^o triennialium attachiatis pro compoto et conclamento."

² *Statutes*, 36 Edw. III, st. 1, c. 14. The session of parliament responsible for this measure lasted 13 Oct. to 17 Nov.; Parry, *Parliaments*, lvi. The statute embodies almost the exact words of a petition: "Item, Pur ce que l'entent des Seignurs et de la Commune est declaree en cest present Parlement, Qe les Communaltez de chescunes Villes du Roialme eient les Fins & Amercimentz, & touz autres Profitz, des Artificers, Servantz et autres Laborers, queconques fuissent paieez as Coillours de la Quinzisme triennale, autrefoitz grante au Roi. . . ." *Rot. Parl.*, ii, 273a.

records. The petition is from the community of Northampton,¹—one suspects at their instigation,—and makes the plea that the collectors had turned in the penalties together with the tax, but had omitted mentioning them in their accounts,—an exactly contradictory statement from that recorded in the case of one set of collectors. Perhaps the council did not in this instance compare notes carefully with the exchequer, and it is, of course, possible that the original collectors were not guilty though appearances are certainly against them. In any case it seems likely that the inconvenience suffered by these particular heirs had a decisive effect after so many years of similar difficulties, and that the crown decided to relinquish the chance of obtaining the penalties, and thus to bring to an end all the numerous processes still pending.

After this date, all processes of the exchequer for arrears of penalties lapse, and letters patent appointing the joint commissions of the peace and for labourers, now include the power to compel the collectors to account.² Nominally, therefore, by 1362, the communities have asserted their right to the arrears of penalties against the claims of the crown, but I am inclined to suspect that the crown yielded only because it had found it impossible to obtain such arrears, and that when the sources for this later period are examined, it will turn out that the communities had obtained merely an empty privilege.

Without a statistical study of the actions against the collectors, it is impossible to ascertain the exact amount of the penalties that through remissness or dishonesty of officials

¹ *Rot. Parl.*, ii, 409b-410a; the editors print this without a date, evidently by an error, for the original is endorsed: "Cotyngnam, Bille de parlamento anno xxxvi." (Ancient Petitions, File 17, no. 814.)

² *Cf. e. g.*, Pat., 36, pt. 2, m. 7 d, 20 Nov.; "De pace conseruanda."

failed to go to the communities, but the fact that so many of the collectors thought it worth while to try to evade the elaborate system of accounting and that, until 1362, the exchequer continued its efforts with persistent energy, shows clearly that the sums were considered important.

(c) *A comparison of the amount of the penalties with that of the tax.*—In studying the subsidy of 1348, it was disappointing to find no way of discovering the amounts of the penalties that were actually allowed toward the tax,¹ but in the case of the subsidy of 1352, there is fortunately definite information. Although the lack of knowledge of the sum of arrears² prevents an absolutely accurate estimate of the total amount of penalties imposed under the statutes during this period, there are in existence sufficient data for a fairly correct calculation as to the sums actually distributed to the communities as allowances, and it is possible, therefore, to gauge the measure of success of the scheme from the point of view of the taxpayers. The authoritative figures for the total sum of allowances obtained by each county are recorded in the enrolled subsidy accounts,³ and can, therefore, be compared directly with the total tax. The table in the appendix⁴ gives the result of this comparison, but it is to be borne in mind that occasionally such accounts have been falsified, notably in the cases of Yorkshire and of Surrey, where by the ruling as to the arrears, the penalties would go not to the communities but to the crown.⁵

The tax was levied in 45 districts: in 37 counties,—Yorkshire and Lincolnshire with three divisions each,—and

¹Page 104.

²*Cf.* two preceding sections, p. 119 and pp. 126-127.

³Penalties not accounted for in time to appear on the enrolled accounts of the final year of the subsidy must be classed as arrears.

⁴315-321.

⁵*Cf.* pp. 123-124.

in the Isle of Wight, London, Newcastle-on-Tyne and the city of York; for each of these there were, of course, three collections, so that the penalties should appear in 135 instances. The facts are as follows: in 13 cases, there is no mention whatever of penalties; in 8 cases, varying excuses such as "no sessions" or "no apportionment;" in 46 cases, "no estreats;" but in 68 cases, just half, a definite sum is reported; of these, in two cases the sum was only just enough for the justices' salaries, and in two others not even enough for this purpose, leaving 64 cases where the communities received their quota of the penalties. With the exception of London, Northumberland, Rutland, Shropshire, Sussex, Westmoreland and York, all the districts benefited by these allowances. The total of the tax for the three years is £114,767 5s. 2d., and the total of the penalties £7,747 14s. 2d. ob. q.,¹ so that the net gains of the whole body of taxpayers amounted to only about 6% of their total burden. The pressure on the wage-earners, however, must be estimated at a somewhat higher figure, while the relation between tax and allowances, county by county, proves to be much more significant than the relation between totals. As to the first point, it is to be remembered that before the apportionments could be made, about £20² annually were paid as salaries to the justices of labourers in each county; a rough estimate would make the total of such payments about £800; further there are the arrears which can scarcely be reckoned as much less than a third of the total allowances, possibly in round numbers £2000; therefore something over £10,000

¹ For a single year the tax is £38,255 15s. ob. *Cf.* Stubbs, *Const. Hist.*, ii, 579-580: "Of the produce of a vote of tenths and fifteenths we have no computation after the reign of Henry III that is trustworthy." He goes on to name £40,000 as the sum of the lay tenth and fifteenth under Edward III.

² See pt. 1, ch. i, s. 6.

would probably cover the total of the penalties imposed under the statutes and levied for the most part from the wage-earning class. As to the second point, it is worth while to quote a few figures from the table; in two cases, the penalties actually equal half the tax, and in seven cases they equal a third, while in others they amount to a quarter or a sixth or a seventh. In the cases where for small districts within the county there is a basis of comparison between tax and allowances, the results are equally significant. Out of the 135 possible instances, there are 28 in which the double set of figures are in existence, covering 21 counties and divisions of counties, or nearly half of the tax districts. The limitations of space have forced me to select at random for the appendix only a few districts within the counties; but even these few give some striking results: for example, the village of Bradefeld, Essex, is rated to the 15th at 44s. 3d. ob. q., but 40s. is allowed it in penalties, though the estreats to be levied in it amounted to only 29s. 10d.;¹ Hatton, in Lindsey, is rated to the 10th at 23s. 2d., and its allowance is 12s.;² Ravensrod in the East Riding, is rated at 100s. to the 15th and receives 60s. in allowances.³ In the original documents (which deserve to be printed in full) such examples can be multiplied indefinitely, and show clearly that a given small group of taxpayers, who had perhaps been forced to pay exceptionally high wages, might receive full compensation through the lessening of their share of the subsidy. The opportunity was tempting and the utmost advantage was taken of it; for example, the inhabitants of Kingston-on-Hull had apparently made out a strong case for their peculiar destitution, for the council allows them the full benefit of all the penalties under the statutes imposed within the limits of the

¹ App., 337-338.

² App., 350.

³ App., 359.

town, and, in order that none of these penalties should be distributed elsewhere in the county, forbids any interference from the justices or collectors of the rest of Yorkshire.¹ The case of Colchester is one of the most striking that has come to my notice; the 10th amounts to £26 2s. 9d., but the subcollectors are ordered to collect £84 7s. 7d. in penalties, the difference evidently to go in accordance with the statute to the next poorest town; the subcollectors, however, raise the third of the total penalties, sufficient to cover their own tax and then refuse to concern themselves with the remainder which would, of course, not benefit Colchester.² Such a combination of circumstances must have occurred fairly often; for, in the spring of 1354, when there was only one more collection of the subsidy, the commons petition that a surplus of penalties over the tax in a given district be distributed at large throughout the county instead of going to the next poorest town.³ This request is refused, but the fact that it was made is in itself indicative of the importance attaching to the penalties. That in a given county the labourers can be made to pay half or a third of the total tax, even though this is true but rarely,

¹ Pat., 27, pt. 1, m. 18, 10 March; "Pro hominibus ville de Kyngeston-super-Hull." Cf. Cal., ix, 417. Gasquet, *The Great Pestilence*, 155, gives a full summary but fails to make clear that the point of the issue of these letters patent was merely to prevent the possibility of a committee of apportionment deciding that some other district in Yorkshire had even a better claim to the penalties imposed in Kingston than had Kingston.

² Mem. K. R., 27, Mich., Recorda, Essex, "De balliuis Colecestr' occasionatis." The bailiffs are accused of having let out of prison the disobedient subcollectors, contrary to the orders of the collectors. The two sets of figures, that of the tax and that of the penalties, given in this most interesting process, are corroborated with only slight differences, by the subsidy account and by the justices' estreats; see app., 337-339.

³ *Rot. Parl.*, ii, 258a.

shows how prosperous is their economic condition; and also makes plain how much the communities had to gain by the enforcement of the labour legislation. It seems probable that the pressure brought to bear by the taxpayers on the justices and collectors was an efficient cause for the great regularity with which sessions were held throughout England during the running of the triennial and resulted in perhaps a more thorough administration of the statutes than was ever again achieved.¹ With the grant of the next triennial, that of the 31st year, another set of penalties in the place of these was given to the communities.² The reasons for the abandonment of the scheme are still to be sought, but a possible explanation lies in the attitude of the lords of franchises; their claims and those of the crown deserve full attention.

2. *Period after the cessation of the triennial grants of 1348 and 1352*

A. *The rights of the crown: Easter, 1351 to Easter, 1352; Michaelmas, 1354, to November, 1359.*—At the end of each of the above triennials, the penalties under the statutes went to the crown,³ subject only to the claims of the lords of franchises, and were levied by the sheriff in the same manner as were the penalties in other courts of the

¹ My view is thus the very opposite from that expressed by Barrington, quoted p. 100, note 6.

² The escapes and chattels of thieves and felons convicted before the keepers of the peace and the justices in eyre; *Statutes*, 31, st. 1, c. 13. Mr. J. F. Willard has examined the manuscript sources for this grant and has acquired much information which it is to be hoped will soon appear in print. The penalties under the labour statutes were never again thus used.

³ This had been specified by the statute and by the grant of the subsidy, but would have been assumed even without such a specification.

king.¹ Leaving to a later section the claims of the lords, the normal method of dealing with the estreats will now be described.

Even during the triennial of 1348, the crown had made good its right to that portion of the penalties not coming under the technical head of "excess"² and soon after its cessation in Easter, 1351, steps were taken by the exchequer to secure this new source of revenue. In July, instructions were issued to the sheriffs to levy the penalties and to pay out of them the wages of the justices of labourers;³ by the autumn, it was found necessary in the case of a long list of counties to order the sheriffs to distraint the justices for the delivery of their estreats,⁴ but scarcely was the machinery set in motion, voluminous rolls for Essex and Dorset having been already delivered into the exchequer⁵ with speedy prospects of rolls for Southampton,⁶ when parliament met.

¹The exchequer process brought in 1357 against the sheriff of Somerset and Dorset, resulting in his imprisonment, quoted p. 11, note 3, illustrates clearly the variety of estreats for which the sheriff was responsible: estreats of the keepers of the peace and justices of labourers for the 24th year; of the justices of labourers for the 27th and 28th years; of the justices of assize for the 28th and 29th years; of the chancellor for the 29th year; of justices of oyer and terminer for the 28th year; of the barons of the exchequer for the 29th year; of the court of common pleas for the 28th year, Trin. and Mich. terms, and for the 29th year, Hill. and Pasch. terms *etc.*; through a long list. *Cf.* p. 137, note 7.

²*Cf.* pp. 103-105.

³See p. 18, note 1, and p. 44. According to these instructions the justices are to deliver their estreats directly to the sheriffs, but in practice it became the custom to deliver the estreats into the exchequer and then to re-issue them to the sheriffs.

⁴Mem. L. T. R., 26, Mich., Breu. Ret., rot. 11, Kane', 18 Oct.; by this writ of the treasurer the estreats are called for at the exchequer. It is to be remembered that Mich., 26th year of the exchequer is really only Mich., 25th year of Edward's reign; *cf.* app., 256.

⁵For an account of these see p. 109, note 2.

⁶*Cf.* p. 62 and note 3.

The result of the session has been already told; the change in the disposition of the penalties relieved the exchequer and the sheriffs from direct responsibilities for levying the estreats, and called forth writs of *supersedeas* stopping the processes against the justices of labourers.¹ There is no record that during these few months any payments had been made as salaries to the justices.² With the expiration of the second triennial at Michaelmas, 1354, the crown recovered its rights to all penalties under the statutes of labourers, and although it was forced later to part with a portion of the penalties, it never again completely surrendered its rights. These rights have been shown to extend to arrears of penalties not already allowed to the taxpayers. If the estreats have reached the collectors, the exchequer brings action against them by a process already described, but if the estreats are still in the hands of the justices of labourers, up to 1362 the exchequer deals with them exactly as it does with current estreats.³ In both cases writs are issued by the treasurer to the justices bidding them deliver their estreats into the exchequer;⁴ they are then turned over to the sheriff who is responsible for levying them and for accounting for them.⁵ The system by

¹ Page 109 and note 2.

² See p. 44. As early as 12 July, 1351, the date of the issue of the first series of writs for payment of the justices' salaries, complaints to the council of embezzlement of the penalties by "sheriffs, lords of liberties and towns, marshalls of justices, keepers of prisons, bailiffs of liberties, market towns and boroughs and their agents," had resulted in the appointment of a number of commissions of investigation; Pat., 25, pt. 2, m. 11 d.; "De summis ab operatoribus et seruatoribus extorsis ad opus Regis leuandis." *Cal.*, ix, 160. It seems probable that in view of the change in the disposition of the penalties, these commissions were allowed to lapse.

³ See p. 119.

⁴ App., 363-365.

⁵ For the sources that contain the accounts of the penalties both origi-

which the justices of labourers received their salaries is now thoroughly worked out and is worthy of note as indicating perhaps the most valuable source for showing the frequency with which the justices were acting. The first step in the process is occasionally a writ of the great seal to the treasurer and barons bidding them order the sheriff to make the payment,¹ but is more usually a writ to the sheriff himself in the form of a letter close ordering him to pay the justices at a specified rate per day or per year out of the issues of their sessions for the days during which they have actually sat.² In rendering his itemized account at the exchequer, the sheriff states that in accordance with the writs of the great seal he has paid to each justice the amount due him, showing in each case the justice's receipt;³ then fol-

nal and enrolled, see app., 256-258. In the course of the next reign the more direct method of dealing with the estreats is adopted, like that in use during the subsidy in relation to the collectors; one copy is given by the justices to the sheriffs and the duplicate is sent into the exchequer; see oath of office taken by the justices of the peace, printed in *Rot. Parl.*, iii, 85, quoted p. 42.

¹ See app., 368-371, for an example of the successive steps in the whole process.

² For the references to the enrollments, *cf.* p. 46, note 3. The series does not begin until the 30th year, since it has been shown that during the subsidy the collectors had paid these salaries; *cf.* p. 112. In cases where the allowances to the tax had not been duly made the sheriff becomes responsible for the back salaries of the justices; *cf. e.g.*, Mem. L. T. R., 31, Mich., Breu. Irret., Shropshire, where the sheriff is ordered to pay wages to justices of labourers for the 26th year.

³ Memoranda Rolls, K. R. and L. T. R., *passim*; unfortunately in the series for Somerset selected for the app., 368-371, I was unable to find the desired entry under "Status et visus;" therefore I add here a similar entry for another county. Mem. K. R., 31, Mich., Status et visus, Lincoln'; "Facto visu compoti Thome de Fulnetby, vicecomitis, de vltimo dimidio anno xxx . . . Et viii li. vi s. viii d. quos soluit Iohanni Busshe, vni iusticiariorum ad transgressionem operariorum, seruientum et artificum in partibus de Kesteven in comitatu predicto puniendas assignatorum, pro vadiis suis pro tempore quo fuit intendens sessioni iusticie predictae, per breue Regis et literas acquietancie ipsius Iohannis de recepcione. For example of an original receipt, *cf.* app., 277.

lows another writ of the great seal to the treasurer and barons bidding them examine the sheriff's writs and receipts and, if they prove satisfactory, make him due allowance in his account;¹ this allowance is then finally noted on the Pipe Roll, the last entry in the whole process. These entries, therefore, give statistical evidence of the number of days of sessions in each county, as well as of the amounts of the penalties.²

The system of levying estreats does not, by any means, work with clock-like regularity; delays occur at all points, necessitating monotonous repetition of the issue by the exchequer of writs of distraint against the justices for the delivery of their estreats;³ the actions against the justices often drag on interminably, in one instance for over eighteen years.⁴ It is clearly a fact of decisive prac-

¹ The Memoranda Rolls, K. R., seem literally full of such writs.

² An excellent study could be made on the basis of these Pipe Roll entries.

³ Memoranda Rolls, *passim*. The cases are very similar to those occurring during the subsidy; *cf. e. g.*, app., 299.

⁴ Mem. L. T. R., 30, Trin., Recorda, rot. 1, Staff'; "De comite Staff' et aliis attachiatis pro extractis laborariorum liberandis." One after another of the nine justices involved appear before the exchequer with various excuses which are readily accepted; *e. g.*: "Et predicti comes et Iohannes de Delues pro se ipsis dicunt vt prius quod huiusmodi extractas non habent penes se liberandas. Dicunt enim quod nulla commissio de iusticiaria predicta deuenit ad manus ipsorum comitis et Iohannis vel eorum alterius nec ipsi vel eorum alter inde aliquo se intromiserunt.

Et predictus Thomas de Swynnerton venit similiter ad dictum crastinum et dicit pro se quod quandoque fecit sessionem suam cum dictis iusticiariis circa punicionem operariorum predictorum, set dicit quod nulle extracte de aliquibus finibus, exitibus vel amerciamentis inde emergentibus deueniunt ad manus ipsius Thome." Finally, seven of the nine are "sine die," and in the meantime one justice dies, but process is continued against the executors of the latter and against the one remaining justice and is apparently not concluded as late as Michaelmas term of the 40th year.

tical importance that the excuse of a justice that the letter patent had never reached him or that he had not taken part in the session is accepted as valid;¹ provided that the barons can secure sufficient estreats properly *arraiatas*.² it is a matter of indifference to them as to who of the commission had acted. When, however, as in the case of Northumberland, no estreats at all are forthcoming,³ it is then necessary that cause shall be shown for failure to execute the letters patent. The episode of Northumberland has been already related; after the cancelling of the second set of letters patent, it did not receive another commission for over a year. The case of London deserves special attention. The ordinance and statute had been promptly enrolled on the Letter-Books,⁴ and one of the two earliest recorded commissions is directed to the mayor and sheriffs, as far back as 1349;⁵ the next information comes from complaints made in the parliament of the spring of 1354 of the exceedingly high price of provisions in London, followed by suggestions for elaborate administrative remedies, with no mention of justices of labourers.⁶ Then, in Hilary term 1355, at the time of settling up the accounts of the subsidy, it appears on inquiry by the exchequer that, in spite of the parliamentary discussion of a few months previous, no one, not even the mayor and sheriffs, knew whether or not there were any justices of labourers.⁷ The result is first, a writ

¹ See the quotation from the Stafford case *supra*; and *cf.* p. 35.

² See p. 62 for instances where the entreats are returned for correction; *cf.* also Mem. K. R., 26, Hill., Recorda, Somerset, where a bag of estreats belonging to Lovell, a justice serving on the joint commission, is returned as containing estreats "minus sufficientes."

³ See p. 35, and app., 366-368. ⁴ App., 8, note 3, and 12, note 1.

⁵ *Cf.* p. 10, note 4.

⁶ *Rot. Parl.*, ii, 258b-259a.

⁷ Mem. L. T. R., 29, Hill., Presentaciones, rot. 1, London', De die dato. The collectors say that they had received no estreats; "ideo . . . ad presens inde sine die."

to the above officials to enforce the statute,¹ and second, two years later, an enactment that the statute should extend to London,² followed by the issue of a commission.³ The full estreats in Letter-Book G show the efficacy of these attempts.⁴ From a study of the actions for estreats one gathers the impression that the sheriff is a decidedly over-worked official, and one is not surprised to find that he is often delinquent; a justice brings suit against him for his wages;⁵ the coroners are ordered to distrain him for failure to return writs,⁶ and there are numerous instances when his plea *non vacare potuit* is not accepted and he is imprisoned and fined by the exchequer.⁷

¹ *Cal. Letter-Book G*, 37; dated 13 Feb., 29 Edw. III.

² App., 18; this enactment seems superfluous in view of the final clause of the statute of 1351.

³ Dated 1 Aug., 1357; cf. app., 42, and *Cal. Letter-Book G*, 115.

⁴ Cf. *ibid.*, *loc. cit.*, for the enrollment of the writ of *supersedeas* of 4 Nov., 1359, and of the following writ, of 5 Nov., "Breue ad mittendum omnia rotulos et recorda de operariis in Cancellariam," and also of the estreats of the penalties from 1 Aug., 1357, to Mich., 1359; these latter are particularly valuable because the occupations of the offenders are given.

⁵ Mem., L. T. R., 32, Hill., Presentaciones, rot. 4, De attornato, Staff': "Iohannes de Sutton, chiualer, vnus iusticiariorum domini Regis tam de pace quam de operariis in comitatu Staff' de annis xxix^o, xxx^o et xxxi^o ponit loco suo Robertum de Sekynton vel Henricum de Puys ad prosequendum pro vadiis suis super compotum vicecomitis eiusdem comitatus. In pleno scaccario."

⁶ Cf. *e. g.*, Mem. K. R., 31, Trin., Recorda, Salop', "De vicecomite attachiato pro debitis Regis non leuatis et variacione in responsione sua;" also Mem. L. T. R., 32, Trin., Breu. Ret., Salop'; John de Burton, the subsheriff of Richard, earl of Arundell, sheriff, is here the offender.

⁷ There seem to be serious difficulties connected with the office of sheriff of Somerset and Dorset; John de Palton and John de Ralegh have both been accused of delinquencies (pp. 116-117, notes 2 and 7); also John de Sancto Lando, the guilty sheriff in the process quoted p. 132, note

The only changes during this period made in the disposition of the penalties under the statutes of labourers arise as a result of the claims of the owners of franchises; to obtain a clear picture of the whole process, these claims must be examined in detail.

B. *The claims of the lords of franchises.*—In discussing the relation of the lords of franchises to the enforcement of the statutes of labourers, the familiar distinction between jurisdiction and the profits of jurisdiction must again be emphasized. In a later section¹ the attempt must be made to describe the conflict of jurisdiction arising between the newly created courts held by the crown-appointed justices

I, of this section. His excuse for his long list of arrears is as follows: "Dicit enim quod in tantum occupatus fuit circa leuacionem aliorum debitorum Regis et expedicionem arduorum negociorum Regis quod tempus sufficiens sibi non vacabat pro leuacione etc., per x menses predictos. Et visis summonicionibus illis, habitaque deliberacione super premissis, quia liquet curie per cognicionem dicti vicecomitis quod habuit tempus sufficiens infra quod leuasse potuit debita contenta in summonicionibus predictis, et quod idem vicecomes quasi mercede conductus supersedit leuacioni debitorum predictorum contra debitum sacramenti sui et in dampnum Regis, consideratum est quod idem vicecomes, videlicet, Iohannes de Sancto Lando, adeat prisonam, et committitur prisone de Flete. Postea fecit finem cum Rege per c. s. (Finis c. s.) pro transgressione predicta."

In *List of Sheriffs*, he appears as John de Sancto Laudo. Cf. also Mem. L. T. R., 33, Mich., Recorda, rot. 19 d, Somerset', "De vicecomite ad iudicium eo quod non leuauit debita per quandam summonicionem leuabilia." Turbervill's excuse for not levying the estreats sent him by the justices of labourers is as follows: "quod oneratus fuit de aliis debitis leuandis per diuersas alias summoniciones sibi directas et de aliis execucionibus faciendis pro Rege, causa diuersarum sessionum iusticiariorum . . . a tempore quo recepit summonicionem predictam quod circa leuacionem debitorum . . . vacare non potuit. Et quesito ab eodem vicecomite quo die recepit summonicionem predictam, dicit quod eam recepit apud Somerton duobus annis iam elapsis et amplius." The court decided that the time was sufficient if he had wished to perform his duty.

¹ Pt. ii, ch. i.

of labourers, and the seignorial courts of the manor and of the hundred, especially those that include the view of frankpledge; the desire for fiscal profit undoubtedly being the main motive in the desire for jurisdiction. Here, however, it is the claim of the lords to the profits of jurisdiction that are to be discussed as distinguished from their claims to jurisdiction. Madox dismisses with a brief paragraph this whole question: "Divers Lords of Seigneuries were, by Charter from the King, entituled to have to their own Use the Amerciaments that arose within their Seigneurie. However, the Lords were to claim the same at the Exchequer. William de Burne and others belonging to the Bishop of Bathe's Fees were amerced for a Disseisin; and that Amerciament was admeasured by the King's Precept; and was set-over to the Bishop of Bathe by Virtue of his Franchise. This is a Thing frequently done at this Day; and is so well known, that it needeth no Explanation."¹ It chances, however, that the claim to this special class of penalties, *i. e.* those under the statutes of labourers, involves some technical problems in the interpretation of the system that are interesting as showing mediaeval methods, as well as indicating the importance attaching to the enforcement of the statutes; these two reasons serve as my excuse for presenting a somewhat detailed account of the various stages in the claims made by the lords.

The first reference to the relation of the lords to the penalties under the statutes is the specification of the commons

¹ *Hist. and Antiq. of the Exchequer*, i, 540-541. Cf. also Pollock and Maitland, *Hist. Eng. Law*, i, 583. Among the more exalted seignorial powers of jurisdiction are included: "*Amerciamenta hominum*. The lord has a right to the amercements of his men, even though those amercements are inflicted in the king's court. The amercements are paid into the royal exchequer, and then the lord petitions that they may be paid out to him."

that the application of these penalties in aid of the triennial of 1352, shall include those to be levied *si bien deinz Fraunchises come dehors*; although the king's answer includes the proviso *saufes a chescun Seignur lour fraunchises sanz nulle emblemisement*,¹ a study of the tax accounts (already described in detail) has shown no evidence that the lords obtained any portion of the penalties. Further, the king's answer to a petition as to the distribution of the penalties, presented just when the subsidy was about to expire, ends as follows: *Et si finera le terme du grant du dit excesse al Seint Michel proschein a venir, apres queu terme eit chescun Seignur sa Fraunchise tiele come il avoit devant*.² From the evidence just presented, it seems a fair inference that the lords were considered by the crown to have certain claims to these penalties as well as to others; that these claims were, however, not recognized during the running of the two subsidies, and that the short gap between the two was not sufficiently long for the matter to come up, but that, after Michaelmas, 1354, the question would have to be dealt with by the exchequer. Since a clause in the charters granted to the conspicuous franchise holders included the right to levy through their own agents and for their own use the various forms of penalties imposed on delinquents proved to be "their men and tenants," it was naturally assumed that such a clause would include the penalties under discussion, the importance of which had been made thoroughly clear during their application to the subsidies. That the lords were not slow to perceive the possibility of advantage to themselves is proved by the appointment, undoubtedly at their instigation, of special justices of labourers to act within their liberties as distinct

¹ *Rot. Parl.*, ii, 238a; cf. p. 107, and notes 2 and 3.

² *Rot. Parl.*, ii, 258a; cf. p. 130.

from the county at large,¹—obviously a great gain to the owners of the liberties who could thus levy the penalties with much less effort than if the estreats relating to their own tenants were to be mixed up with those for the county. For 1354, just before the end of the subsidy, there are five such commissions, for 1355, three, and then between March and November of 1356, eighteen, nearly half of the total of forty-two commissions for that year.² For the first twelve or eighteen months after the end of the subsidy the exchequer was fully occupied in collecting the arrears of penalties, none of which belonged to the lords, but toward the end of 1356, traces of this new disposition of the penalties would naturally appear. The sudden increase during the spring and summer in the number of the special commissions, is perhaps the result of the crown's acceptance of the rights of the lords; these rights are certainly implied in the phraseology of the writs for payment of wages to the justices of labourers, issued the previous February, 1356: *de finibus, redempcionibus et exitibus tam ad magnates et alios virtute libertatum eis per nos et progenitores nostros concessarum . . . quam ad nos pertinentibus*.³ It is noteworthy in view of the later discussions that *excessus* is omitted. A few months later, however, just at the time of the greatest increase in the number of special commissions, a test case comes up in the exchequer so important in its results that its history must be given.⁴

The archbishop of Canterbury, relying on a royal charter bestowing on his predecessors and their succes-

¹ Cf. pp. 37-40.

² App., 36-41, and p. 20.

³ App., 368. During this same winter when Edward, duke of Cornwall, claims the penalties imposed on his tenants before Bray, justice of labourers in Middlesex, the court adjourns for consideration; Mem. L. T. R., 31, Mich., Precepta, rot. 1, Lond. and Midd.

⁴ See app., 373-379, for a complete series of documents relating to this claim.

sors the familiar right to penalties imposed on their "men and tenants," even though in the king's courts, had, according to custom, claimed these penalties at the exchequer, and had been met with a refusal on the part of the barons to allow him those imposed before the justices of labourers. The archbishop complained to the king and succeeded in obtaining a writ of the great seal directed to the treasurer and barons, dated 18 October, 1356, bidding them either make the allowances or send to the king immediately a certified statement as to their reason for refusal. The barons chose the latter alternative and quoted the clause of the statute of labourers to the effect that after the end of the subsidy the penalties including *excessus* were to be levied *ad opus Regis* and that this clause precluded the possibility of any other disposition of the penalties. The matter evidently caused considerable discussion in the king's council and was too important to be settled instantly by that body; therefore, on 28 October, another writ is issued to the barons bidding them delay proceedings until the meeting of the next parliament, still some months off, in order that the whole question can be there more thoroughly discussed. As a matter of fact, during the interval, the agitation must have continued, for on 8 February, a writ of the privy seal directs that all the special commissions of labourers shall be repealed on the ground that from them *tout plein des mals et erreurs sont avenus*,—perhaps a reference to these difficulties in the interpretation of the law.¹ The substance of the writ appears in the conclusion of the new form of the commissions and the list of justices of labourers issued during the same month omits private jurisdictions.² The rolls for the parliament of 10 April-16 May

¹ App., 31.

² App., 25-27; 41. These commissions are dated three days earlier than the writ of privy seal, presumably by a clerical error. In a note

1357 are, most unfortunately, lost, so that no echo of the fuller discussion reaches us, although its positive results remain in the form of two statutes: the first grants a triennial tenth and fifteenth but specifies that this time an entirely different set of penalties is to go to the communities in aid of the tax;¹ the second adds to the clause in the statute of labourers, quoted by the barons, the amendment that lords whose charters give them fines, issues and amercements shall henceforth, as is their legal right, have fines, issues and amercements under the statutes of labourers, provided that they contribute their share to the salaries of the justices.² The series of documents for the payment of justices' wages now include this proviso.³ The barons, therefore, while forced to admit the legality of the lords' claims, succeeded in diminishing their profits to this extent, and as will appear, made use of a technicality for still further diminishing them. It seems more than probable that during the subsidy the value of these special penalties had been forcibly realized by the lords, and that by a successful as-

to the introduction of *State Trials of Edw. I*, xlv, the editors quote Hengham's statement as to such errors: "quia in cancellaria et alibi in uno et eodem die unus clericus ponat unam datam et alius aliam."

¹ *Statutes*, 31 Edw. III, st. 1, c. 13; *cf.* p. 131, and note 2.

² App., 18.

³ *E. g.*, Claus., 33, m. 8, 11 Nov.; a writ to the sheriff to pay the wages of two justices of labourers in Oxfordshire runs as follows: "Pro-uiso quod domini libertatum qui proficuum de finibus, redempcionibus et amerciamentis predictis iuxta libertates suas percipiunt, vadiis illis pro rata proficui per ipsos inde percepti contribuant, iuxta formam statuti inde prouisi." The same phrase appears also in the writ to the barons to allow this payment in the sheriff's account; Mem. K. R., 34, Mich., Breu. Baron., rot. 15 d. Evidently the lords often failed to pay their share; *e. g.*, the sheriff of Staffordshire accuses the duke of Lancaster of neglect of his duty, and the duke pleads guilty and promises to pay; Placita de Scaccario, 34 Pasch. Similar instances occur *passim* throughout this roll.

section of their claims to a portion of them, they prevented a third grant to the communities.

The procedure is now as follows: a given claimant obtains from the king a writ to the treasurer and barons ordering them, in view of a royal charter and in accordance with the new statute, to make from time to time such allowances as are due. The claimant, having previously received from the justices of labourers the estreats of the penalties imposed on his tenants, sends into the exchequer the schedule of names and amounts, and appears yearly in person or through his bailiff or attorney at the time that the sheriff is rendering his account,¹ and claims that he has a right to levy for his own use and through his own agents the sums noted in the schedules.² When the claimant has demanded a specific amount, three points must now be proved to the satisfaction of the exchequer before it can make the due allowance in the sheriff's account: 1. the delinquents named must be shown to be tenants of the claimant; 2. the penalties must be shown to have been imposed subsequently to the opening of the parliament in which the new statute had been made; 3. the penalties must be shown to be fines, issues, and amercements but not "excess;" for it is asserted by the barons that "excess," not being mentioned in the charters, goes to the crown direct.³ It is worth remembering that on a previous

¹ App., 378-279; 382-383.

² Cf. Mem. K. R., 33, Pasch., Breu. Baron., rot. 6 d, 11 May, Procomite Richemund', for an order to the barons to bid the justices of labourers deliver to the bailiff of the earl the estreats of certain penalties under the statutes; also *ibid.*, 33, Mich., Recorda, Anglia, 20 Oct., for a similar order to the barons. Later it appears that both the barons and the earl's bailiff had begun to levy these penalties; therefore a writ of *supersedeas* stops the proceedings of the former; Mem. K. R., 35, Mich., Breu. Baron., rot. 20, 13 Nov. Cf. p. 147, note 5.

³ Mem. L. T. R., 33, Mich., Precepta, rot. 2; an examination of the

occasion the exchequer's insistence on this distinction in just the reverse way had served the purpose of increasing the income of the crown.¹ As to the first of the three points mentioned, the sheriff must report under oath to the barons,² but in the case of the last two, the claimant must obtain a royal writ, addressed this time to the justices of labourers, bidding them send into the chancery certified statements as to the date of the penalties³ and the separation of fines from excess;⁴ these certificates are then sent to the barons with still another writ of the king, ordering them to act as the law demands.⁵ The data are now all before them, and they proceed to make the allowances or not, according to the circumstances of the case, the final outcome, of course, being recorded on the Pipe Roll.⁶ If a given claimant has an adverse decision or if he fails to prosecute his claim within the limit of time assigned, he is liable to be sued by the exchequer for the amount claimed *tanquam de claro debito*.⁷

charter granted by king Henry shows that the abbot of Westminster and his successors "habeant omnes fines propriorum hominum suorum ex quacumque causa venerint et coram quibuscumque iusticiariis facti fuerint. In qua quidem carta nulla fit mencio de aliquibus excessibus"

¹ Page 103.

² App., 383-384.

³ App., 386; see also writ attached to the Warwick roll, app., 216-217.

⁴ App., 384-386; the purpose of the writ to the justices quoted p. 64, note 3, was to order them to make this distinction between fines and excess.

⁵ App., 386.

⁶ App., 387-388.

⁷ Mem. L. T. R., 34, Trin., Precepta, De summis balliuorum, Surr' Sussex. In regard to the claim of the archbishop of Canterbury to certain penalties before the justices of labourers he is ordered to obtain the usual certificate from the justices: "Iniunctumque est eidem archiepiscopo quod interim sequatur quod certificationem dictorum iusticiariorum habeat hic ad dictas octabas alioquin tunc fit executio versus ipsum archiepiscopum de predictis xi li. xviii d. tanquam de claro debito." Cf. also Mem. L. T. R., 35, Mich., Precepta, rot. 8 d, in regard to a similar claim of the abbot of Westminster: "Ad quem diem predictus abbas non prosequitur allocacionem de predictis xii li. xiii s. vi d. de quibus oneratus est . . . Ideo fiat executio ad opus Regis de predictis xii li. xiii s. vi d. . . ." Cf. also app., 384.

Although the test case as to the primate had resulted in a statute admitting that *de jure* these penalties belonged to the lords, it is to be noted that the exchequer succeeded in the contention that the penalties for the period between the end of the subsidy and the enactment of the amending statute belonged to the crown. Instances occur when lords who, during this interval had levied the penalties for their own use,—undoubtedly acting in good faith, especially in regard to those imposed by the special justices serving within their liberties,—were obliged to refund the amount to the crown. The case of the duke of Cornwall is to the point; he acknowledges that he had levied the penalties in Oxfordshire and Berkshire during the years just before the new statute and is charged with the amount;¹ a similar confession for the county of Northampton has similar results.² The sheriff of Bedfordshire and Buckinghamshire says that he ought to have levied the penalties for several years past within the liberties of the duke in the honour of Wallingford and Berkhamsted but has not done so because the duke had already levied them. The duke admits the truth of the statement and is charged with the amount.³ A brief reference has been already made to the unusually large number of claims to penalties made by the magnates of the counties of Warwick and Leicester, after the statute of 1357, and to their impatience at the necessity of separating fines from excess as well as separating estreats of sessions of the peace from those of sessions for labourers; it seems probable that these complaints were the decisive factor in bringing about the consolidation of the two commissions.⁴

¹ Mem. L. T. R., 32, Mich., Precepta, rot. 7, Oxford and Berks.

² App., 379-382.

³ Mem. L. T. R., 32, Hill., Precepta, rot. 6 d, Bedf. and Bucks.; special justices were appointed within this liberty of the duke on 26 March, 1356; app., 140.

⁴ Pages 23-24.

In addition to the claimants who have based their claims on charters including the right to *amerciamenta hominum*, there is also a small group, which, lacking any such general franchise, receives from the king during this decade, for either a limited or an indefinite period, specific grants of the penalties under the statutes; to this group belong the king's two sons, Edmund¹ and John,² and the Carthusians of Henton and of Witham,³ the latter obtaining their privileges as a result of complaints to the king of their peculiar difficulties. It is interesting to see that within the palatinate of Chester the prince of Wales makes an exactly similar grant of the penalties to an abbot.⁴ The legal aspect of this type of claims involves no special problems and the procedure is the same as that already described;⁵ but it is significant that even here the "excess" is not included.

To obtain accurate knowledge of the exact number of the claimants and of the amounts they finally received, and of the relation of these amounts to the total

¹Pat., 32, pt. 1, m. 3, 23 June, "Pro Edmundo de Langele, filio Regis;" also *ibid.*, m. 2, on the same date. The grant is in aid of the repairs on his castle of Coningsburg and other buildings.

²Pat., 32, pt. 1, m. 4, 27 June, "Pro comite Richemundie;" the fines are in aid of repairs on his castle of Richmond and other buildings: "habenda, leuanda et percipienda per manus balliuorum seu ministrorum dicti comitis per extractas iusticiariorum predictorum eisdem balliis seu ministris liberandas, quamdiu nobis placuerit absque aliquo nobis inde reddendo." Cf. also Writs of Privy Seal, Chancery, Series I, File 374, no. 23, 870, 27 June, 32 Edw. III.

³App., 389-390.

⁴Chester Recognizance Rolls, no. 41, m. 2, 18 Dec., 32 Edw. III; "Carta abbatis de Valle Regali de finibus et amerciamentis operariorum et artificum." The grant is said to be "de gracia nostra speciali et in opere caritatis."

⁵See *e. g.*, Mem. L. T. R., 35, Pasch., Recorda, rot. 10, Norffolchia, "De Iohanne comite Richemund' de clameo finium et amerciamentorum operariorum." Cf. p. 144, note 2. The letters patent are of course enrolled in the course of the process.

revenue from these penalties, a careful statistical study should be made of the cases on the Memoranda Rolls and of the corresponding entries on the Pipe Rolls. Some thirteen claimants by charters have come under my observation. ecclesiastics and the king's immediate family dividing between them the gains resulting from the statutes:¹ the former include the primate,² five abbots,³ and three bishops,⁴ while Edward, as duke of Cornwall and as prince of Wales⁵ figures almost as frequently as his cousin, Henry of Lancaster;⁶ the two queens make up the list.⁷ Even through the medium of this imperfect study of the claims of the lords of franchises it is possible to see the importance attached by them as well as by the crown, to the penalties under the statutes of labourers.

In coming to the end of the subject of the penalties, there

¹ There is in the Record Office a manuscript list which I neglected to examine in which is recorded an abstract of the claims of the lords to fines in general; *cf.* Scargill-Bird, *Guide*, 330. My list may easily not be complete; and I give merely a few references to the processes on the Memoranda Rolls, in order to show the procedure in use.

² App., 378-379; special justices had been appointed within his liberties; app., 140.

³ Peterborough, Mem. L. T. R., 33, Mich., Recorda, rot. 14; Fécamp, app., 382-388; Ramsey, Mem. L. T. R., 33, Mich., Recorda, rot. 2 d; Reading, *ibid.*, 34, Mich., Precepta, rot. 5, Oxford et Berks.; Westminster, p. 145, note 7. Of these only the first and the fourth had obtained special justices; *cf.* app., 139.

⁴ Carlisle, Mem. L. T. R., 33, Mich., Recorda, rot. 15 d; Winchester, *ibid.*, 34, Mich., Precepta, rot. 5 d, Oxford and Berks.; Worcester, *ibid.*, 34, Hill., Precepta, rot. 6, Warwick and Leicester. None of these had special justices.

⁵ Mem. L. T. R., 33, Mich., Recorda, rot. 16, Lincoln'.

⁶ *Ibid.*, rot. 15, Lincoln'.

⁷ Isabel, Mem. L. T. R., 31, Hill., Precepta, rot. 6, Notts. and Derby; Philippa, *ibid.*, 34, Pasch., Precepta, Kent. These last four had special justices; app., 140-141.

are two aspects that need special emphasis: first, that the exchequer maintained a persistent control over the proceedings of the justices of labourers through its determination to secure the penalties; and second, that the king and council were acting steadily in close connection with the exchequer and in supervision of it. Frequently it has appeared that royal writs stopped exchequer action in a given case; and it is, of course, to be remembered that the treasurer was a member of the council.¹ The figures of the amounts of the penalties as far as they have been ascertained and the eagerness to establish a right to the penalties shown by the taxpayers in relation to the subsidies, by the lords in their claims and by the exchequer at every stage, give a vivid impression of the importance of the statutes in the eyes of the community and afford conclusive proof that they were not at this time dead letters. The justices of labourers who were clearly doing their work with effectiveness and with an honesty not below the general standard of contemporary official morality, must be regarded as an important factor in local administration.

¹ *Cf. e. g.*, Mem. L. T. R., 33, Hill., Breu. Ret., Norf', a writ to the justices of labourers ordering them to deliver their estreats into the exchequer, "*vt executio pro leuacione finium . . . fieri valeat*," signed "*per ipsum thesaurarium et alios de consilio*." Also Mem. K. R., 24, Trin., Commissiones, etc., York, W. R. and N. R., a writ to the barons bidding them see that the collectors account, signed "*per ipsum thesaurarium et consilium*."

PART II

THE ENFORCEMENT OF THE STATUTES OF LABOURERS IN THE OLD LOCAL COURTS AND IN THE CENTRAL COURTS

The organization by the crown of the office of justice of labourers for the express purpose of executing the new labour laws is not the only method by which they were enforced. They are included as a matter of course in the jurisdiction of the court of king's bench and of the court of common pleas; but it is by no means equally obvious that they would also come within the competence of the old local courts. The relation of these latter courts to this national legislation must now be considered.

CHAPTER I

THE OLD LOCAL COURTS: COMMUNAL COURTS OF THE COUNTY AND OF THE HUNDRED; SEIGNORIAL COURTS, FEUDAL AND FRANCHISE; MUNICIPAL COURTS

FROM the point of view of the administration of law, the most striking phenomenon of the fourteenth and fifteenth centuries is the development of the justices of the peace, and the gradual transfer to these crown-appointed and crown-controlled officials of all the more important powers of the old local courts of the county, the hundred, and the manor.¹ As part of the same movement of concentration in the hands of the central government of control over questions formerly left to local authorities, must be regarded the short-lived experiment of the establishment of a separate set of crown-appointed officials for the regulation of economic matters. An account has already been given of the process by which the justices of labourers were finally merged in the justices of the peace and the enforcement of the economic legislation became a permanent part of the duties of the latter.² The long transition period, lasting at least a hundred and fifty years, during which the two series of courts, quarter sessions and the old local courts, existed side by side, must contain many instances of duplication of machinery and of conflict of jurisdiction, involving exactly

¹ Beard, *Justice of the Peace*, 16-17. The decay of the old local courts included a decrease of the judicial and police functions of the sheriff; cf. Medley, *Eng. Const. Hist.*, 392-393.

² Pt. I, ch. i, ss. 1 and 2.

the same problems that arise within the first ten years after the Black Death. During this limited period and for the present subject it is the relation between the old courts and the separate sessions of the justices of labourers that is especially important, since the joint commissions of the peace and for labourers were in force for only a small part of this period.

In dealing with this problem there are two specific points to be settled. First, what portion of the substance of the ordinance and the statute was already, previous to 1349, being enforced by the local authorities? Second, did this national legislation come within the competence of the old local courts? The material for an exhaustive discussion of these two points exists in abundance and deserves the fullest examination; my conclusions are unfortunately based on a very insufficient study of the sources, and must be regarded merely as tentative and indicative of the direction that future research should take.¹

The provisions of the ordinance and statute fall naturally into three main groups: the restrictions on wages and prices; the interference with the mobility of the labourer; the enforcement of the contract between employer and employee.² The first of these, as related to the whole mediaeval theory of reasonable price, has attracted the greatest share of attention from economic historians. In their endeavor to connect these provisions with earlier ones of

¹ For the sake of illustrating as completely as possible all phases of the relation of the statutes to the community, it seems wise to undertake this inadequate survey of the subject. The account of the sources is necessarily so slight that it is presented in the footnotes instead of in the appendix.

² The prohibition of alms to able-bodied beggars is omitted from this discussion. For a more detailed analysis of the measures, *cf.* pt. I, ch. II, s. 3.

a similar type they usually lay stress on the assizes of bread and ale as examples of economic regulations made by the central government and applied to the kingdom as a whole,¹ although enforced in the local courts,² the sheriff's turn,³ and the leet, either seignorial,⁴ or borough.⁵ Still more direct antecedents of the wages and price clauses of the ordinance and statute are the regulations of the craft guilds and of the municipal authorities.⁶ The earliest limitation of wages that I have seen was issued by the London authorities in the twelfth century or even before, and affects various artisans in the building trades.⁷ During the next century and a half, regulations either drawn up by members of trades and approved by the London municipal authorities, or originating with the latter, follow each other in quick succession.⁸ They include prices of victuals, and

¹ Introduction, p. 3, note 2.

² Among the presentments in the leets and turns there are "those never ceasing breaches of the assizes of bread and beer." Pollock and Maitland, *Hist. Eng. Law*, ii, 519-520.

³ *Ibid.*, i, 558-560.

⁴ By prescription or by special grant certain lords claimed the view of frankpledge and the right to hold a court co-ordinate with the sheriff's turn. "The lord who has the view usually has the assize of beer, more rarely the assize of bread also." *Ibid.*, i, 580-582.

⁵ *Ibid.*, i, 657-658; cf. also *Records of the Borough of Nottingham and Leet Jurisdiction in Norwich*.

⁶ For an account of this subject, see Gross, *Sources of Eng. Hist.*, under Boroughs, Guilds and Municipal records in index; also his *Bib. of Municipal Hist.* In a recent monograph on the *Eng. Craft Guilds and the Government*, Miss Kramer maintains that the municipal authorities authorized and approved the guild ordinances.

⁷ "De conditione operariorum;" printed by Cunningham, *Growth of Eng. Industry and Commerce*, i, 567-568.

⁸ Easily available in the *Calendars of the Letter-Books* of the city, edited by Sharpe, and in the volumes edited by Riley, *Memorials of Lond.* and *Munimenta Gildhallae*, including *Liber Albus*, *Liber Custumarum* and *Liber Horn*. *Lib. Cust.*, in *Mun. Gildhallae*, ii, 86, contains an

wages in many crafts, the givers as well as the takers of excess rates being liable for penalties. The point to be emphasized is the striking similarity between the phraseology of these local regulations and that of the national enactments. It is especially noticeable in the regulations for glovers of January, 1349, which refer in general terms to the rates prevailing a few years ago, and were, as the date shows, issued but five months before the great ordinance.¹ Similarly, the specifications of 1350 of rates of wages for carpenters, masons *etc.*,² might easily be inferred to have served as models for the corresponding specifications in the statute of labourers. Although the prices of victuals seem to have been constantly supervised in the leets, both borough and seignorial, and in the sheriffs' turns, specific rates of wages were established and enforced only by the guilds and by the town authorities, and therefore concerned artisans alone. Previous to the ordinance, wages of agricultural labourers were apparently regulated by custom only, and no instance has come to my notice of the promulgation of a definite rate.³

The interference with the mobility of the labourer resulting from the new legislation consists partly in the actual

ordinance as to wages issued as early as 1212. Toward the end of the same century a royal writ orders the observance of the prices and wages ordained by the common council of the city; *Lib. Albus*, in *Mun. Gildhallae*, i, 251, 289 and 334; *Cal. Letter-Book A*, xi.

¹ *Cal. Letter-Book F*, 200; translated and printed in *Memorials of Lond.*, 245-247. Denton, *Eng. in Fifteenth Century*, 311, refers to an ordinance of Fitz Ailwine, mayor of London, as the origin of the ordinance of labourers of 1349. He may have meant the regulations of 1212, given in *Lib. Cust.* (*cf. supra*, note 8), but I see no evidence for Denton's theory.

² *Cal. Letter-Book F*, 212; printed in *Memorials of Lond.*, 253-258.

³ The wording of the ordinance of 1349 shows clearly, however, that previous to the plague certain customary rates had been generally accepted as normal.

prohibition of departure in summer from the residence of winter, and partly in the implication of the compulsory service clause, which insisted on the acceptance by a labourer of work, if offered at the legal rate, and thus forbade his going forth in search of higher wages. Of the practical results of villein status none is more obvious than the fact that a villein is *adscriptus glebae* and has no right to leave the manor.¹ The enforcement of the lord's authority in this matter was within the competence of the manorial courts, and their rolls are full of instances of the flight of villeins, of orders to attach the fugitives, and of records of payment of chivage for license to live outside the manor.² It is worthy of note that previous to 1349, restrictions on the mobility of the free labourer, whether working in agriculture or in handicraft, or on his right to be an idle vagrant if he chose, had not been imposed in any court; in fact, one of his most essential privileges had been that he could go whither he liked,³ provided of course that he was not breaking a contract. This brings up at once the question of the provision of the ordinance for the enforcement of contracts between employer and employee, a provision that has been strangely neglected by commentators.

At this date unwritten contracts could not be enforced

¹ Vinogradoff, *Villainage in England*, 77, 143, 157-158; Page, *End of Villainage*, 10-12.

² Vinogradoff, *op. cit.*, 157; Page, *op. cit.*, 12-13. Cf. also Vinogradoff's review of Page in *E. H. R.*, xv, and Davenport, *Norfolk Manor*, 73.

³ Vinogradoff, *op. cit.*, 77, 79, especially note 3, and 143. It is not within the scope of this monograph to discuss the problem of the extent to which the process of commutation of services at this date had gone, or the question of the existence of the free agricultural labourer; cf. Page, *op. cit.*, *passim*, for the whole subject. The provisions of the ordinance and of the statute certainly imply a widespread system of money wages.

in the courts of king's bench and of common pleas; it remained for the fifteenth century gradually to evolve the action of *assumpsit* as a common-law remedy in such cases.¹ There is, however, abundant evidence to show that contracts of this type came under the jurisdiction of the old local courts, of the manor, of the hundred,² and of the borough. A few instances must be quoted that are directly concerned with the covenant between employer and employee. In 1275, in the abbot of Ramsey's court in the Fair of St. Ives, a servant who admits breach of contract with his master, is ordered by the court to complete his term of service;³ in 1301, in the court of the manor of the lord of Ruthin, actions are brought, under the head of breach of contract, against a servant for departure within the term agreed upon, and against a master for enticing the servant

¹ Pollock and Maitland, *op. cit.*, ii, 196, 219-222. I am not attempting to present an account of the complex subject of contract in English law, nor do I touch on the jurisdiction of the church and of the court of chancery, but will merely refer to some available sources: the chapter on "Contract" in v. ii of the work quoted *supra*; *Principles of Contract* by Pollock; also "Contracts in Early Eng. Law" in *Harvard Law Review*, vi, by the same author; "Assumpsit" and "Parol Contracts" by Ames, *ibid.*, ii and viii; "Early Eng. Equity" by Holmes in *Law Quarterly Review*, i; "Hist. of Contract" by Salmond, *ibid.*, iii.

² I must express my sincere thanks to Mr. G. J. Turner for having called my attention to the importance of the enforcement of unwritten contracts in the courts of the manor and of the hundred. The most emphatic statement in print is by Maitland in his introduction to the Littleport court roll: "It is hard to believe that these Littleport villans, who dared not send their children to school without their lord's leave, were very ready with the pen, or that when they made agreements about their petty affairs, they procured parchment and ink and wax and a clerk. . . . The old 'folk law' may have required forms enough; but there seems no absurdity in the supposition that at the beginning of the fourteenth century, the local courts were already enforcing formless agreements." *Court Baron*, 115-116.

³ *Select Pleas in Manorial Courts*, 156-157. "Conuencio" or "pactum" is the term.

from the service of the plaintiff; ¹ in 1318, in the bishop of Ely's court at Littleport, actions for breach of contract against a seamstress,² and against a carrier of sedge,³ both result in damages for the plaintiffs. The evidence from boroughs is equally conclusive; customals of the twelfth and the thirteenth centuries discuss breach of covenant on the part of a nurse, also of a weaver,⁴ and forbid the hiring of servants who are in the service of another.⁵ It is clear that these *conuenciones* were not in writing or under seal; in fact, in one of the above instances witnesses to the engaging of the servant are advised in order that there should be no difficulty in proving the contract.⁶ The London regulations as to wages usually include the prohibition of

¹ *Ruthin Court Rolls*, edited for the Cymmrodorion society, 47. I am indebted to Mr. Turner for this reference.

² *Court Baron*, 115.

³ *Ibid.*, 125.

⁴ *Borough Customs*, ed. M. Bateson, i, 215.

⁵ *Ibid.*, i, 215-217.

⁶ *Ibid.*, i, 217. Cf. also *ibid.*, ii, introduction, lxxx: "The special characteristic of the borough law of agreement, as contrasted with the common law of the fourteenth century, was its acceptance of the validity of the 'fides facta' as sufficient to bind a bargain and give an action for breach of covenant in the borough court. The contract was formal, though a once elaborate ceremonial had been gradually reduced to the simplest of forms, a mere grasp of hands. The burgess who could 'affy,' if he could not find a gage or pledge, who gave his faith on the bailiff's rod, who in Lent offered affidavit in lieu of the oath, could pledge himself by the hand-clasp, an act visible, audible, that could be witnessed of sight and hearing; and if a party to the agreement sought remedy, the borough court, and perhaps some other of the local courts, gave the action for breach of covenant. . . . All this was contrary to the doctrines which the royal courts were laying down at the end of the thirteenth century, when they limited the sphere of the action of covenant to the case in which a deed could be produced."

It is to be observed that this "formal contract" is somewhat different from the "formless agreements" described by Maitland; cf. *supra*. p. 158, note 2. Miss Bateson, while her introduction was still in process of writing, expressed her own belief that the enforcement of unwritten contracts had originated in the borough courts and that the practice had spread thence to the other local courts.

the employment of a servant who is bound by agreement to another master.¹ The frequency with which in actual practice unwritten contracts between master and servant were enforced in the local courts can be determined only by a thorough examination of the manuscript sources,² but the fact that such contracts could be enforced in these courts is proved beyond doubt.

The conclusion, therefore, in regard to the first of the two points under discussion is that except for the specific limitation of agricultural wages, and for the interference with the mobility of the free labourer, provisions similar in character to the new legislation were already being carried out in the local courts; but with a marked difference. Under the old scheme, a few of the regulations, notably the assizes of bread and ale, were framed by the central government, and were put into effect by the existing local authorities, but by far the greater number of the provisions were devised as well as enforced by the local authorities and thus varied in different localities; whereas the enactments of 1349 and 1351, as has long been recognized, emanated from the central government, applied uniformly to the whole country, and were administered chiefly by officials both appointed and supervised directly by the crown. This distinction between the old method and the new at once brings up the second point. Did these national enactments come within the competence of the old local courts?

The ordinance, so strangely neglectful of assigning duties

¹ Page 155, note 8, *supra*. An entry in *Lib. Albus*, in *Mun. Gildhallae*, i, 214, is to the point: "Item, accouns de dette sount mayntenable par usages des simples grauntz, et dassignementz, et de plegiage, et de covenant, simplement sauncz especialtee."

² Professor Maitland told me that it was his impression that the enforcement of the contract between master and servant was not very common in the courts of the manor and of the hundred.

to the special justices responsible for its enforcement,¹ states that actions against takers and givers of excess wages are to be brought in the court of the lord of the place in which the offence occurred, and that lords if guilty of infringement of the ordinance, are to be sued in the court of the county, wapentake, or trithing, or in any other of the king's courts. Proof of refusal to serve for legal wages is to be made before two witnesses in the presence of the sheriff, bailiff, lord or constable; mayors and bailiffs of towns are bound to enforce the victuallers' clause.² The net result of these rather confused administrative provisions certainly gives the impression that the old local courts were to deal with the ordinance; in the case of the statute, however, there is no warrant for any such assumption, since no courts are mentioned save quarter sessions. As far as my limited investigation goes,³ the facts of the case are as follows. The one county court record for this decade that I

¹ See p. 10.

² App., 9-II.

³ Rolls of the communal courts, that is of the old county courts, and of hundred courts not in private hands are rare; cf. *Select Pleas in Manorial Courts*, introduction, xv. Rolls of seignorial courts, however, exist in great abundance, both of the ordinary feudal courts of the manor and of the hundred, and of franchise courts; and are to be found in all the great repositories, e. g., the British Museum, the Bodleian, the Cambridge University library, and the Public Record Office, as well as in many private collections. (For these latter, cf. the reports of the Hist. MSS. Comm.) For an account of printed rolls, see Gross, *Sources of Eng. Hist.*, s. 57, "Local Records and Local Annals;" also Davenport, *Classified List of Printed Court Rolls*. The number in print is being steadily increased each year.

The group in the Record Office though including some hundreds of rolls (see *List of Court Rolls, Lists and Indexes*, no. vi) is small in comparison with the total number in existence. As it was impossible for me to make an exhaustive study of even this group, still less to examine rolls in other archives, I endeavored merely to gain an impression of the attitude of these courts toward the statutes. For this purpose I went through some 50 rolls for the decade 1349-1359, selected

have discovered, contains many indictments for the giving and taking of excess wages "contrary to the statute;"¹ a fair proportion of the rolls that I have examined, of the hundred courts and of the ordinary manorial courts (not counting the court leets) include among a relatively larger number of the usual entries, scattered instances² of offences against the new legislation, usually for the receipt of excess wages and for breach of contract by the eloigning of servants already in service. In the case of the latter class of actions it is exceedingly difficult to determine whether they are based on the ordinance, or whether they are simply the old actions of covenant that have already been in use in the local courts. A comparison of the form of the action for breach of contract brought on the ordinance of labourers in the Hereford quarter sessions,³ with a similar action brought in the Ruthin manorial court at a date previous to 1349,⁴ reveals exactly the same phraseology in both cases, with the addition in the former of *contra statutum* after *de placito conuencionis*. In the manorial courts after 1349

quite at random, and in these I noted all instances of offences against the labour legislation; *cf.* app., E. The results of such a limited investigation have value only if these few rolls are typical of hundreds of others; my own belief is that they may be so considered, but it is, of course, possible that some future investigation will prove that this belief was ill-founded.

¹ While examining Chester Assize Rolls (*List of Plea Rolls*, no. iv) in my search for sessional records, by accident I stumbled across a roll of a county court from which I print extracts in the appendix, (391-392), inasmuch as so few county court records have as yet been discovered. Mr. Turner, however, who is preparing for the Selden society a volume on the old county court, warns me that it is not safe to infer the action of a court of a normal county from that of a county palatine.

² The courts of Ruyton are an exception and are dealing with an unusually large proportion of offences against the statutes; *cf.* app., 397-399.

³ App., 185.

⁴ *Ruthin Court Rolls*, 47; *cf.* pp. 158-159.

the entry is sometimes *de placito conuencionis* simply,¹ and sometimes *noui statuti* is added;² but it seems perfectly possible that this latter phrase is often omitted through carelessness or that it is not considered essential. The records of the borough court of Nottingham contain for the decade 1349-1359 several cases dealing with unwritten contracts between master and servant;³ but curiously enough it is the master who is being sued for breaking an agreement to employ the servant, not a usual occurrence at this date. Although these cases are subsequent to the enactment of the ordinance, there is no indication that they are based on it; it is more than probable that they are examples of the validity of parol contracts in borough law.

In answering the question as to the competence of the old local courts to deal with the new labour laws it must be confessed that the phrase *noui statuti* so frequently found may conceivably in contemporary usage refer to the ordinance only; so that my inadequate researches do not prove beyond doubt that the measure of 1351 as well as that of 1349 was being enforced. Fortunately, however, a case recorded a few years later affords conclusive evidence that the statute, not the ordinance, is the enactment on which the action is brought⁴ and, therefore, establishes the fact that the jurisdiction of these courts extended to the national

¹ App., 394-395.

² App., 394.

³ *Records of the Borough of Nottingham*, ed. Stevenson, i, 158-159, 166-167. Cf. Maitland, introduction to Littleport court roll, *Court Baron*, 118. For bibliography of material on boroughs, see *supra*, p. 155, note 6; for parol contracts in borough courts, *cf. supra*, p. 159, note 6.

⁴ An entry on the court roll of Forncett records the withdrawing of a labourer from the vill and from the lord's domain contrary to the statute and to the prohibition of the steward. Davenport, *Norfolk Manor*, 73, and note 3. Professor Page wrote me in March, 1904, that he had seen many cases in the court records dating both before and after the rising of 1381, in which fines were imposed for violation of the statutes.

legislation in its entirety.¹ The regularity with which the jurisdiction was exercised can be learned only by an extensive study of the sources, but it seems unlikely that this phase of the enforcement of the statutes was important in comparison with the vigorous administration effected by the special justices appointed for the purpose.²

Even if the local courts made use of their rights spasmodically, there must have been some instances of conflicts of jurisdiction and some occasions on which a given individual ran the risk of being punished twice for the same offence. My only definite information on this point is in regard, not to the communal courts or the ordinary feudal courts, but to seignorial courts that were the result of a special franchise and therefore included the right to enforce the assizes of bread and ale. In Warwickshire,³ a long list of such franchise-holders complain to king and council that their tenants are being punished by the justices of labourers for the infraction of these two assizes, even when they have already been fined for this offence in the seignorial court. The petitioners succeed in obtaining royal writs addressed to the justices quoting the clause in the supplementary statute of victuallers as to the rights of the holders of franchises,⁴ and ordering the justices to cease proceedings against delinquents who had been already fined in the lords' courts. Exactly the same course of events takes place in

¹ This is contrary to the view expressed by Professor Beard in *Justice of the Peace*, 56: "Unless specially mentioned the statutes did not fall within the competency of private jurisdictions."

² Creighton's theory that the act applied especially to fugitive villeins and would have been inoperative except on the basis of the manorial court as the unit of government is certainly wide of the mark. *Hist. of Epidemics*, i, 183.

³ App., 219-221.

⁴ App., 220.

Herefordshire,¹ whereas in Wiltshire,² where a large part of the work of quarter sessions is concerned with the punishment of offending brewers and bakers, there is no trace of any protest on the part of the franchise-holders. It is more than probable that the solution of what might otherwise have proved a serious difficulty lay in the fact that the profits of jurisdiction were deemed more important than the jurisdiction itself. The owners of franchises had been successful in their contention that to them belonged the penalties imposed in quarter sessions on their tenants for infringement of all clauses of the statutes of labourers; it was natural, therefore, that they should prefer to leave to the justices of labourers the troublesome task of convicting offenders while they themselves with very little effort secured the pecuniary advantage of such convictions.³

¹ Assize Rolls, Hereford, 313; see app., 189-192, for a portion of this roll. The entry just quoted is too illegible for transcription.

² App., 228-234.

³ If my explanation is correct, it is clear that Mr. Savine presents a somewhat exaggerated account of the situation when he writes: "The agents of the King and of the common law, the justices of assize and the justices of peace, entered into the sacred precinct of the manor in order to control the relations between the lord and his villeins." "Bondmen under the Tudors," in *Trans. Royal Hist. Soc.*, xvii, 254.

CHAPTER II

CENTRAL COURTS: COURT OF KING'S BENCH AND COURT OF COMMON PLEAS, 1349-1377

It has already been shown that actions on the statutes of labourers, brought in the first instance before the justices of labourers, were occasionally removed to a higher court, that of the king and council, of the chancellor, or of the king's bench;¹ it remains necessary to ascertain the extent of the original jurisdiction over the statutes exercised by both the court of king's bench and the court of common pleas.

(1) *The treatment of the sources.*—The choice of the most effective method of dealing with the great mass of material in existence has been a difficult one.² On the one

¹ Pt. I, ch. ii, s. 7 and app., 239-241.

² The exigencies of this portion of my subject have led me here as in pt. ii, ch. i, to depart from my plan of describing the sources in the appendix, and, instead, to discuss them in the text and in the footnotes. The brief summary of official records given in this note will be followed by further analysis in the remaining sections of this chapter.

Court of common pleas.

De Banco Rolls. Classified by regnal year and law term, and so listed in *List of Plea Rolls*; they are unindexed and there is no guide to their contents except the name of the county on the margin of each action. Normally there is one roll for each term, consisting of from about 400 to 600 membranes, each membrane being about three feet long and about nine inches wide, closely written on both sides.

Court of king's bench.

Coram Rege Rolls. The same description applies, except that the number of membranes in each roll is considerably less than in the De Banco rolls, varying between 200 and 300.

Ancient Indictments. For an account of these, see app., 143. The series is made up largely of Coram Rege indictments.

Coroners' Rolls. See *List of Plea Rolls, Select Cases from Coroners'*

hand, from the point of view of the vigor of the attempt to enforce the statutes during the years 1349-1359, the essential requirement is an enumeration of all the actions on the Plea Rolls of both courts for the whole decade, supplemented by information derived from the Controlment Rolls, Coroners' Rolls, and Ancient Indictments. A limitation, however, to these official records and to this short period would preclude the possibility of using the unofficial evidence contained in the Year Books, since the majority of reported cases on the statutes belongs to the latter part of the reign; and neglect of the reports would mean failure to present a sufficient account of the legal issues involved in the interpretation of the statutes by the upper courts. On the other hand, from the point of view of law, an exhaustive treatise (Fitzherbert's is by no means adequate) can be written only on the basis of a study of all the reports dealing with the statutes, down to the reign of Henry VIII, as well as of the corresponding records; such a study should also include the *Registrum Brevium*, *Novae Narrationes*, Fitzherbert's commentary in his *New Natura Brevium*, his abridgment, and those of Statham and Brooke.¹ For this purpose the printed Year Books will not answer. The editions of Mr. Pike have not yet reached the Black Death;² while the old editions omit the years

Rolls, ed. Gross, and app., 413. Among the Coroners' Rolls proper there are a few rolls of exigends of offenders convicted in the two upper courts with cross-references to the Plea Rolls. Pardons for outlawry are recorded on the Patent Rolls.

Controlment Rolls and Gaol Delivery Rolls have neither of them been included in my search; for the former, see Scargill-Bird, *Guide to the Public Records*, 168, and for the latter, *ibid.*, 170, and *List of Plea Rolls*.

¹ For exact titles and dates of publication, see my bibliography.

² Published in the Rolls series. The Selden Society editions are for the reign of Edw. II.

31-37 Edw. III,¹ and the entire reign of Richard II,² and are frequently erroneous or misleading. It would therefore be necessary to establish authoritative versions of the text by an examination and collation of all the manuscript Year Books,—a task evidently beyond the scope of the present work.³

The course adopted for my investigation is a compromise and as such has no claim to completeness. I extended my period to the death of Edw. III, and using the seventeenth-century edition of the Year Books, I noted for 1349-1377 all the reports of cases on the statutes or involving the statutes, a total of 33, distributed between the two courts.⁴ An examination of the three great abridgments showed that Fitzherbert had discovered 10 additional reports, two of which are for the date for which there are no printed Year Books.⁵ A search through the manuscript Year Books in the British Museum and in the libraries of Cambridge University, of Lincoln's Inn, and of the Temple, had chiefly negative results; the 33 reports appeared in approxi-

¹ This is equally true of the edition of 1678-1680, and of the numerous sixteenth-century editions.

² Bellewe's compilation to some extent supplies the reports of the reign of Richard.

³ It is scarcely necessary to add that Professor Maitland's incomparable editions for the Selden Society will ever remain the ideal to which future editors will strive to approximate, and that his introductions are invaluable for the whole subject of reports and records.

⁴ A comparison of this edition of 1678-1680 with the various sixteenth-century editions in the Boston Public library, the Harvard Law library and in the Library of Congress, did not increase this total. The cases in the earlier editions are not only the same as those in the later, but identical in form and phraseology. Cf. Pike, in introduction to the Year Books of 12 and 13 Edw. III, xxxii, and also Soule, "Year Book Bibliography," in *Harvard Law Review*, xiv, 568.

⁵ The abridgments of Statham and Brooke give many of the same cases but add no new ones.

imately the same form as in the printed editions; only one more report was found¹ and not a single one of Fitzherbert's additional ten cases. His sources are therefore still to be sought.²

Fortunately these 44 reports are fairly intelligible even in their present versions and touch on nearly all the important points of law arising from the enforcement of the statutes, but need of course to be corroborated and interpreted by the records. In turning to the Plea Rolls, my first object was to discover the reported cases;³ while looking for these, I took brief notes on all actions on the statutes or involving the statutes (whether reported or not) that had reached at least the stage of an attachment,⁴ and in some rolls I made a count of all such actions that were merely begun. Since my search was necessarily rapid, it

¹ App., 419-420.

² Professor Maitland was interested in the problem of finding the sources used by Fitzherbert, and was good enough to aid me in my search in Cambridge.

³ Unless possessed of technical legal knowledge, one scarcely dares venture into the realm of Plea Rolls, without a special apology to Mr. Pike, so earnestly has he sought to deter the layman from such an attempt. See his "Action at Law in the Reign of Edw. III: the Report and the Record," in *Harvard Law Review*, vii, 267-268. Both he and Professor Maitland, however, have done far too much to show the value of Plea Rolls to make it possible to leave them untouched.

With only limited time at my disposal, the main difficulty in finding the records of the Year Book cases lay in the fact that the mistakes as to year and term in the reports dealing with the statutes exceeded even the usual number of such errors; also that there was often no clue as to court, and that in some of the reports, notably in those given only by Fitzherbert, too few details of the actions appeared to render identification certain. The form of the actions on the statutes, however, made them comparatively easy to pick out, even in a rapid glance at a membrane; moreover, I was fortunate in having much patient help and many useful suggestions from Mr. G. J. Turner, whose knowledge of the Plea Rolls is unrivalled.

⁴ Including of course all that reached further stages.

is possible that occasionally a case was overlooked, and since only about a quarter of the total number of Plea Rolls was examined, the resulting information does not allow absolutely dogmatic statements as to the working of the statutes; it is, however, based on the study of a sufficiently large proportion of the facts to warrant definite conclusions as to the attitude of the courts and as to the general trend of legal interpretation.

My method of treatment has therefore taken the following form. First: in the appendix, I give a list of the 44 reports with cross references to the abridgments and to the Plea Rolls, and examples of writs from the *Registrum Brevium*; I also print thirteen typical reports and the corresponding records (when possible), and a few extracts from Coroners' Rolls and Ancient Indictments. Second: in my text, on the basis of the data obtained from the Plea Rolls, I have compiled a few statistics¹ as to the frequency of actions on the statutes, the status of the offenders, the nature of the verdicts *etc.*; and further, I discuss from all the above sources the most important questions of law connected with the statutes.

(2) *Numerical account of the actions on the statutes of labourers.*—As far as could be ascertained from the Year Books, the distribution of the 44 reported cases between the two upper courts was as follows:² king's bench, 4; common pleas, 24 certainly, and 7 probably;³ no clue to court, 9. The preponderance of reports for the court of common pleas established a presumption that the majority of the 16 doubtful cases would belong to it rather than to

¹ A caution has just been given as to the nature of these statistics.

² App., 416-419.

³ Fitzherbert's extra cases; 3 of the 10 were clearly in the common pleas.

the court of king's bench,¹ and resulted in an examination of a larger number of De Banco than of Coram Rege Rolls.²

The following account will show the extent of my researches in these two series. For the period extending from the beginning of the twenty-fifth year of Edw. III to the end of his reign, assuming one roll for each law term, there should be 107 rolls in existence for each court.³ Of the De Banco Rolls I made a complete examination of 41, —between a half and a third of the total number,—as well as a partial examination of 6.⁴ Counting only those actions on the statutes or involving the statutes that are finished, or that are argued out to an issue of law or of fact, or that have at least reached the stage of an attachment of the defendant, it appears that the 41 rolls contain 270 cases, and the 6 rolls, 18, an average of $6\frac{1}{2}$ cases per roll or per term.⁵ If this average be maintained through the remaining 60 terms,—there seems no reason to doubt that it will be,—there will be for the whole reign about 700 cases. Further, on each roll there are many instances where it is recorded that the plaintiff has brought a writ, but where there is no indication that the defendant has ever been produced, or that any subsequent process ever takes

¹ The form of writs in the *Registrum* is given for both courts; cf. p. 175, note 1, for references.

² It has already been emphasized that my primary object was the identification of the reported cases; cf. s. 1.

³ There are in reality not quite so many. Of the De Banco Rolls six are missing, while the 37th year has two rolls for the Easter term, a total of 102; the compiler of the *List of Plea Rolls*, in numbering these rolls consecutively, has by a slight error omitted the number "385." Of the Coram Rege Rolls two are missing, leaving a total of 105.

⁴ In each of these, the reported case chanced to occur early in the roll, thus obviating the necessity of reading all the membranes.

⁵ The two may be considered as synonymous, since there is only one exception.

place in court.¹ A conservative estimate of the ratio between the number of records of this type and the number of those first described is about eleven to one, showing that there were, roughly speaking, 7700 actions that never went beyond the initial stage. The addition to these figures of the 700 cases already referred to results in a total of about 8400 suits brought in the court of common pleas between 1351 and 1377.

For the king's bench, my investigation was unfortunately less extensive, and my results therefore less conclusive. Only 12 *Coram Rege* Rolls were examined; they contain 24 cases, varying from 4 to 1 per roll or per term, an average of 2. Assuming this average to hold for the remaining 95 terms, there will be a little over 200 cases for the whole reign, corresponding to the 700 in the other court. It is also to be noted that one of the rolls contains an important record consisting of proceedings begun before a joint commission of the peace and for labourers, and removed into the court of king's bench. Undoubtedly there are more such cases, not originating in this court, and therefore not to be included in the present discussion.² The ratio between the number of actions in which only the plaintiff appears and the number of those in which further stages are recorded, differs in degree from the corresponding ratio in the other court, being only about 3 to 2. 300, therefore, will represent the number of these unfinished actions, and 500 the total number of suits brought in the court of king's bench during this period of twenty-six years. Since the bulk of the *De Banco* Rolls exceeds that of the *Coram Rege*

¹ I do not know what happened in such cases; *cf.* p. 207, note 1, for an explanation of the blanks on the rolls in actions that had reached later stages.

² *App.*, 250-254 and p. 97.

Rolls, averaging perhaps three times as great,¹ the smaller total of cases in the king's bench dealing with the statutes bears approximately the same relation to the number of actions on all other subjects in this court as does the larger total of cases on the statutes in the common pleas to all other actions recorded on its rolls.

In accordance with the estimates just given the combined figures for the two courts are: 900 for the first type of records, and 8000 for the second, a total of nearly 9000. Without statistics as to the frequency of the other common forms of actions, covenant, debt, trespass *vi et armis etc.*, an accurate appreciation of the relative numerical importance of the actions on the statutes is impossible, but the conclusion is certainly warranted that the upper courts were a valuable factor in the enforcement of the labour legislation. Moreover, it is clear that, as indicative of widespread economic disturbance, the actions that are only begun are precisely as significant as those that are argued out, and that for a period of twenty-six years and in a population of about two millions and a half,² nearly 9000 cases, involving from two to five or six individuals each, represent a considerable amount of litigation.

Apart from this attempt to calculate the probable total number of actions, my investigation of the work of the upper courts is based chiefly on a detailed analysis, from various points of view, of the 288 De Banco cases and the 24 Coram Rege cases that reached the stage where both plaintiff and defendant made their appearance. The distribution of these 312 cases according to the county in which the action is brought is as follows: London, 48; Norfolk, 21; York, 19; Cambridge, 18; Northampton, 16; Kent, 15; Suffolk, 14; Lincoln, 12; Buckingham, 11; Essex, Dor-

¹ Cf. p. 166, note 2.

² Cf. pp. 1-2.

set and Leicester, 10 each; Surrey, 9; Middlesex, Southampton, Warwick and Wiltshire, 8 each; Hertford, 7; Bedford, Berkshire and Oxford, 6 each; Devon, Gloucester, Somerset and Sussex, 5 each; Huntingdon, 4; Rutland and Stafford, 2 each; Derby, Northumberland, Nottingham, Westmoreland and Worcester, 1 each; name of county illegible, 9. The three counties palatine are, of course, omitted, but except for Cornwall, Cumberland, Hereford and Shropshire, all the other counties are represented.¹ London, with nearly a sixth of the whole number of cases, has more than its share, possibly because of its propinquity to the seat of the court of common pleas; but on the whole, it may be said that the enforcement of the statutes of labourers by the upper courts was not sectional but was fairly uniform throughout the kingdom.

(3) *Clauses of the ordinance and of the statute on which the actions are brought.*—It has been already shown that the justices of labourers in their sessions, while occasionally dealing with all clauses of the legislation, gave the fullest measure of their energies to the punishment of the receipt of excess wages and excess prices;² precisely the same statement is true in regard to the juries that were making presentments before the king's bench for offences against the ordinance and the statute, as recorded in the series of documents known as Ancient Indictments.³ Further process as to these presentments should be sought on the Coram Rege Rolls of corresponding years and terms; my researches in this direction were but slight and did not solve the problem of the ultimate fate of such indictments or of their connection with the work of the court of king's bench.⁴ The

¹ It is more than probable that these counties will appear on the remaining rolls. ² Pt. I, ch. ii, ss. 3, 4 and 5. ³ Cf. s. I and app., F, I.

⁴ Is it possible that the suggestion made on p. 68 is true here also and that these presentments were considered conclusive evidence of guilt?

writs printed in the *Registrum*¹ cover all the essential clauses of both ordinance and statute, except the price clause; namely, departure of a servant, retention of another's servant, compulsory service, excess wages, rights of lords, service by the usual terms and the summer and winter clause. One is therefore led to expect to find on the Plea Rolls records of suits brought under these various forms of writs, especially suits on the wages clause, so frequent in Ancient Indictments.

The result of an analysis of the 312 cases occurring on the 59 rolls examined does not fulfil this expectation. In the court of common pleas there are 277 cases on the contract clause, either for departure or for retention, or for both;² 2 cases on the compulsory service clause,³ and 2 on the statute of the 35th year.⁴ There are also 7 cases in-

¹ *Reg. Brev. Orig.*, 119, 189-191; *Reg. Brev. Jud.*, 27-28. See app., 411-413. Most of these writs appear in the middle of the *Registrum* in that section described by Maitland as an appendix, since it includes "Brevia de Statuto," *i. e.*, writs on comparatively new statutes; "Register of Original Writs," in *Harvard Law Review*, iii, 100. I examined in the Harvard Law library nine editions of the *Natura Brevium*, printed between 1525 and 1584, but did not find a single instance of writs on the statutes of labourers.

² The references to all these cases would take too much space, but in the course of this chapter many of them will be referred to specifically.

The *Registrum* includes three forms of writs on the contract clause: first, against a servant for departure before the end of his term; second, against an employer for the retention of a servant who had thus illegally departed; and third, against both servant and employer for departure and retention respectively; 189.

³ De Banco, 38, Trin., 86, Camb.; 46, Hill., 102, York and 46, Pasch., 221 d, York.

⁴ *Ibid.*, 41, Trin., 248 d, Linc.; 45, Trin., 247, Camb. and 46, Trin., 361, Camb.

For the discussion of the date of this statute, *cf.* p. 25, note 1. Only 35 De Banco and 8 Coram Rege Rolls were examined for the period subsequent to its enactment.

volved the statutes, 6 of which refer to the contract ¹ and one to the compulsory service clause.² In the court of king's bench there are 22 cases on the contract clause, and 2 cases involving the statutes in general.³ Therefore of the 312 cases, 299 are on the contract clause, and 6 involve it,—a total of 305; whereas there are only 2 cases on the compulsory service clause, and one involving it; 2 on the statute of the 35th year, and 2 involving the statutes in general,—a total of 7. Of actions that have reached merely the initial stage, the 47 De Banco Rolls contain one on the summer and winter clause,⁴ 9 on the statute of the 35th year, and nearly 60 on the compulsory service clause. The last group, while numerous in comparison with the two that have reached a later stage, in absolute numbers is still far less than the actions on the contract clause in the initial stage, which, roughly speaking, amount to over 2500. Several important suits for breach of contract deal with the rights of lords over their tenants, both villein and free, but no action has come under my observation based directly on this clause, nor a single instance of a case on the wages or price clause. In view of the figures just given it is natural that the rolls of exigends ⁵ and the pardons for outlawry ⁶ should show few examples of infringement of the statutes other than of the contract clause.

The later legal treatises (not counting the *Registrum*) reveal the same emphasis on the contract. The form of

¹ Cases 10, 17 and 43, app., F, 5 and 6; case 30, list in app., F, 3; De Banco, 40, Pasch., 175, Suff.; 40, Mich., 175 d, Essex and 41, Trin., 312, Essex. Throughout this chapter "list in app." refers to the list in F, 3.

² De Banco, 50, Hill., 345, Surrey. ³ App., 213, and pp. 123-124, note 1.

⁴ De Banco, 29, Pasch., 135 d, Notts.

⁵ Included among Coroners' Rolls; see p. 166, note 2, and app., 413-415.

⁶ Enrolled on the Patent Rolls; see p. 166, note 2, and app., 415.

the one count on the statute of labourers given in *Novae Narrationes* is for an action for departure,¹ and the two pleas recorded in *Liber Intrationum* are both for departure and retention.² Fitzherbert in his commentary touches on the compulsory service and the summer and winter clauses, and on the relation of the lord to his villein, but for the first two gives no reference to reported cases; he omits the wages clause altogether and lays all the stress on the terms of the contract.³ It is significant that Brooke in mentioning the summer and winter clause merely quotes Fitzherbert's remarks.⁴ The conclusion from all the above data is certainly warranted that, in sharp contrast to what was happening in quarter sessions, the two upper courts were concentrating their attention on the enforcement of the contract clause of the ordinance.⁵ An explanation of this phenomenon must be attempted.

It is, of course, clear that the receipt of excess wages and of excess price was a question of fact the truth of which could be easily and legitimately determined by justices of labourers and their juries; while the question of contract involved legal problems needing the opinion of the trained and learned lawyers of the upper courts.⁶ It is also true that a breach of contract would naturally be worth while to a servant only if he were enabled thereby to secure higher wages than he was already receiving. The writs for de-

¹ App., 413.

² "Statuta de laboratoribus contra magistrum et seruientem qui placent licenciam etc.," xxxii f.; "Narratio versus seruientem qui recessit ante finem termini," lxxv e. The latter is given in the table of contents but I have not succeeded in finding it.

³ *New Natura Brevium*, 388-392.

⁴ *La Graunde Abridgement*, Laborers, 51.

⁵ Leaving aside the puzzling question of the presentments in Ancient Indictments.

⁶ I am indebted to Professor Vinogradoff for this suggestion.

parture and retention as given in the *Registrum* include the significant phrase *facta . . . promissione . . . de salario plus solito recipiendo*,¹ and although on the Plea Rolls the writs are usually shortened by the omission of just this phrase, even here it sometimes appears.² There are instances where the actual figures are mentioned in the count. For example, in an action for departure and retention it appears that the plaintiff's terms had been as follows: for one servant, 2d. per day and food, for the other servant, a quarter of corn every ten weeks and 7s. a year; while the tempting advance offered by the defendant was 12d. per day for each servant.³ Indirectly therefore the wages legislation was being enforced through the medium of the enforcement of contracts. More important, however, than either of the above considerations is the status of the common law in relation to parol contracts. Stress has previously been laid on the fact that at this date only contracts based on writing had validity in the courts of king's bench and of common pleas;⁴ in a later section⁵ it will be shown somewhat in detail that the ordinance rendered it possible to enforce in these courts agreements be-

¹ App., 411.

² I give a few references to writs enrolled on the Plea Rolls which include the phrases beginning "nec ullus eciam mercedes etc.," or "facta . . . promissione etc.," or both. Case 3, list in app.; De Banco; 29, Hill., 59, Bucks.; 69, Norfolk; 29, Pasch., 157 d, Wilts.; 152 d, Dorset. Coram Rege; 27, Trin., Shareshull, 45 d, Midd.; 27, Mich., Shareshull, 94, Norfolk; 77 d, Suffolk; 28, Hill., Shareshull, 40, Lincoln; 74, Surrey; 59 d, Oxford. My impression is that as the years went by the shorter form of the writ became more usual.

³ Case 3, list in app. This is the only instance that has come to my notice where wages are as high as those mentioned by Knighton, ii, 62, quoted by Professor Tout, *Polit. Hist. of Eng.*, 372. The counts furnish excellent opportunities for adding to our knowledge of the rates of wages.

⁴ Pt. ii, ch. i, and especially pp. 157-158, notes 1 and 2.

⁵ S. 5.

tween masters and servants, even though not made in writing.

The significance of the discovery through this analysis of cases that only the contract and compulsory service clauses were dealt with by the two upper courts lies partly in the circumstance that it is thus proved that the ordinance, not the statute, was the essential document, and that during the long period before it was made a statute¹ it had all the force of statute law.

(4) *Classes to which the compulsory service and contract clauses applied.*—The analysis of the work of quarter sessions showed that the juries, in by far the majority of instances, were making presentments against the takers of excess wages and prices, chiefly agricultural labourers, domestic servants, victuallers, and representatives of handicrafts, and only very occasionally against members of the employing class, even in contract cases;² for practical purposes it may be said that the justices of labourers were enforcing the law against manual labourers only. It must now be ascertained whether this statement is also to be made of the application by the upper courts of the two clauses of which they took cognizance.

Compulsory service. The wording of the ordinance is explicit:³ all able-bodied men and women under sixty,⁴

¹ Cf. p. 2, note 8.

² See pt. 1, ch. ii, ss. 3, 4 and 5. Suits brought by individuals are so few in comparison with presentments of juries that they need scarcely be counted, but the same description applies to them.

³ Already summarized and discussed in pt. 1, ch. ii, s. 3.

⁴ The minimum age is not indicated. There is some ambiguity in Fitzherbert's comment: "An Infant of 12 Years of Age shall be bound by his Covenant to serve in Husbandry . . . although he may spend 40 Shillings or 12 Marks by the Year." *New Nat. Brev.*, 390-391. This seems rather to apply to liability of minors for a contract; cf. pp. 185-186.

both free and bond, not living by trade or handicraft, and without land sufficient to occupy them, are bound to accept service with the first employer who offers them work at the legal rate of wages.¹ It is obvious that the clause is not meant to apply to persons above the labouring class,² and that of the latter it would affect mainly agricultural labourers and domestic servants. The differentiation of individuals liable to compulsory labour from those not liable is purely an economic one and naturally causes some difficulties of interpretation. Accordingly, a petition in parliament complains that labourers make insufficient holdings an excuse for idleness;³ in one reported case issue is taken on the question of the performance of how many services exempts a man from the clause;⁴ in another, a labourer, on being put into the stocks for refusal to serve, brings an

¹ Fitzherbert, *op. cit.*, 389: "And if a Man be required to serve, and hath not Lands nor Tenements to live upon, nor other Art or Trade, and he refuseth to serve, then he who requireth him to serve, shall have this Writ" For the writ *cf. app.*, 412.

² Fitzherbert, *op. cit.*, 391: "He who hath not sufficient Lands of his own to occupy, shall be compelled to serve." Again: "And so a Gentleman by his Covenant shall be bound to serve, although he were not compellable to serve. For if a Gentleman, or Chaplain, or Carpenter, or such which shall not be compelled to serve, yet if they covenant to serve, they shall be bound by their Covenant, and an Action will lie against them for departing from their service."

In Reeves, *Hist. Eng. Law*, ii, 275, a Year Book report of an action for departure against a chaplain (10 H. VI, f. 8, p. 30) is quoted to the effect that the statute "was not made but for labourers in husbandry; as in the case of a knight, or esquire, or a gentleman, you cannot compel him to be in your service by the statute, for that the statute is not to be understood [but] of labourers who are in grant, and have nothing whereby to live." Evidently at this date there is some confusion between the contract and the compulsory service clauses.

³ *Rot. Parl.*, ii, 261 b; labourers "pernent bovees de terre, ou demy bovee, des Seignurs, quele n'est pas sufficiencie pur eux dount vivre, ou estre occupez, de lour excuser de servir par termes . . ." *cf. also ibid.*, iii, 17 a, and pp. 73-74 of this monograph.

⁴ Case 20, *app. F*, 4.

action of false imprisonment against the official who had administered the penalty, on the plea that he (the labourer) held enough land to secure exemption from the law.¹ Evidence that employers frequently succeeded in securing this penalty of stocks for labourers unwilling to work is afforded by the numerous instances of actions of trespass in which it appears that such delinquents had been rescued *vi et armis* from their confinement.² At this time of great scarcity of labourers of all kinds, there was inevitably much wandering from place to place of both free men and villeins, seeking to take advantage of the situation by demanding the highest possible wages. In the crisis the ordinance tried to provide labour for employers at the old rates by giving them this right of seizing idle vagrants, and putting them to work;³ the right is, however, subject to two important limitations which must be analyzed later, the preference given to former masters in the case of free men,⁴ and to lords in the case of villeins.⁵

Contract clause. The 299 cases for breach of contract⁶ fall into three groups: 1. 136 actions brought by masters against servants for departure before the end of their term; 2. 116 brought by masters against other masters for retention of servants out of their service before the end of their term; 3. 47 brought by masters against both servants for departure and other masters for retention. To these

¹ Case 39, list in app. Cf. Reeves, *op. cit.*, ii, 247, for a commentary on this report.

² See p. 176, note 2, for a reference to one of these cases. In an action for departure it appears that the plaintiff having found the defendant "vagamtem" and refusing to work although "potens in corpore" and possessing nothing wherewith to live, had caused the constable to put him in stocks until he agreed to make a contract within the terms of the law; De Banco, 51, Pasch., 206, Surrey.

³ See p. 3, and note 1; also, Reeves, *op. cit.*, ii, 247.

⁴ S. 5.

⁵ S. 6.

⁶ S. 3.

must be added the 6 cases involving the contract clause; they include one action of false imprisonment brought by a servant against a master and five actions of trespass *vi et armis* brought by masters against other masters for taking servants out of their service. It appears therefore that a sixth of the cases for breach of contract are against employers as well as servants and that over a third in addition are against employers alone; in contrast then to quarter sessions, the upper courts were making a vigorous attempt to compel the employing class to obey the law. Now to what social and economic status do the delinquent employees belong, for convenience designated by the general term of "servants?" The wording of the ordinance, "reaper, mower, or other workman or servant, of whatever condition he may be" certainly suggests manual labourers, especially those occupied in agriculture; but a classification of the employees¹ concerned in the 305 contract cases gives a definite answer to the question. The six involving the contract clause may be dismissed first: they include two villeins, a labourer, a ploughman and carter, a housemaid, and two servants.² The 299 cases are divided as follows: agricultural labourers, 116;³ household servants, 30;⁴

¹ In the departure cases, the employees are of course the defendants, but in the retention cases they are not parties to the suit although the cause of the suit.

² See p. 176, note 1.

³ It would take too much space to print all my references to the Plea Rolls; I merely give a list of the occupations represented, some of which appear more frequently than others. Bercarius, carectarius, car-ectarius et carucarius (or order reversed), carucarius, carthwoman, in officio colligendi garbas, in officio custodiendi equos, in officio ad eradicandum spinas, custos aueriorum, deye, fugator caruce, herbarius, laborarius, communis laborarius, messor, mower, pastor, porcarius, shepherd, tentor caruce, vaccarius.

⁴ Ancilla, bona ancilla, communis ancilla, cellarius, cokus, lotrix, nutrex, in officio cariandi aquam, communis seruiens et ad sellas facendas, communis seruiens, ostillarius et seruiens domi.

artisans, 30; ¹ victuallers, 17; ² servants, with no account of duties, 36; unclassified, 4; ³ above the class of manual labourers, 19; ⁴ occupation illegible or not recorded in my notes, 47. In the 83 doubtful instances it is safe to infer that a third are concerned with agriculture; therefore nearly a half of the total number of "servants" are agricultural labourers, half again of these being ploughmen.⁵ Of the servants not coming under the head of agricultural labourers, fully a third came from London alone; as far as the country at large is concerned therefore, the popular belief that this legislation affected chiefly the tillers of the

¹ Building trade: *carpentarius, faber, plumbarius, serviens tegularii*. Clothing trade: *alutarius, breoderer, cissor, cordewaner, fullator, serviens in officio apprenticii pannarii, sutrex, tailor et clothier, textor, zonarius*. Various: *aurifaber, armirarius, cardemaker, sagittarius, serviens of a sporiere*.

² *Ancilla pro taberna bocher, braciator, braciatrix, garcon ad custodiendum shopam et ad vendendum carnes, molendinarius, pandoxatrix, pistior, pistior et braciator, pistrix et braciatrix, pulter, tabernarius vinorum, tapester, vinetarius*.

³ *Malieman, marinarius, hobelarius ad arma, serviens in officio marescalcie*.

⁴ For the occupations represented, see pp. 186-187.

⁵ *Eulogium Historiarum*, iii, 214: "Cessante pestilentia nutu Divino tanta facta est paucitas servientium quod non sunt inventi ad agriculturam faciendam, pro quorum defectu mulieres et parvuli invise missi sunt ad carucas et ad plaustra fuganda." Was Chaucer's description of a ploughman a satire?

"With him ther was a Plowman, was his brother,
That hadde y-lad of dong ful many a fother,
A trewe swinker and a good was he,
Livinge in pees and parfit charitee.
God loved he best with al his hole herte
At alle tymes, thogh him gamed or smerte,
And thanne his neighebore right as hym-selve.
He wolde thresshe, and ther—to dyke and delve,
For Christes sake, for every povre wight,
Withouten hyre, if it lay in his might."

—*Prologue to the Canterbury Tales*, verses 529-538.

soil receives strong confirmation. The application of the contract clause to members of the victualling trade, to household servants, and to agricultural labourers, raises no legal questions, except in regard to the last-named class in those actions in which the plea of villeinage is urged. The discussion of this subject is reserved for a future section;¹ here it is sufficient to say that there is, of course, no instance of an action against a villein as such for breach of the statutory contract;² the lord's court already had remedies against fugitive bondmen. In the case, however, of artisans, of apprentices, of minors, and of men above the labouring class, during the course of Edward's reign, several interesting problems arose as to the application of the new law.

Artisans. For a time the contract clause was enforced without question against artisans;³ but in 1364, in the court of common pleas in an action brought against a carpenter for departure,⁴ as learned a lawyer as Bealknap urges on behalf of the defendant that only the excess wages clause applied to a carpenter; the plea is not allowed by the court and the defendant is forced to deny the covenant. Apparently this precedent was not held sufficient; for, nine years later, in a similar action in the same court against a "breoderer," counsel puts in a still more general plea that the clause applied only to servants and labourers, not to artificers; the ruling of the court that the clause applied equally to artificers must have settled the matter.⁵

¹ S. 6.

² The one possible exception to this statement is an action for the retention of a *natiuum et seruientem*; see p. 205, note 4.

³ *E. g.*, De Banco, 30, Pasch., 183 d, Sussex; 33, Pasch., 232 d, Lond. In 30 actions against artisans the question is raised only twice. Cf. Fitzherbert, *supra*, p. 180, note 2, and Reeves, *op. cit.*, ii, 247. The latter merely quotes the argument in case 40, list in app.

⁴ Case 44, app., F, 4.

⁵ Case 40, list in app.

Apprentices. In one of the earliest cases on the contract clause brought in the court of king's bench by a draper for the retention of his servant, the latter is described in the count as bound to him for seven years as apprentice in the clothing trade; the plea of the defendants is an action of ravishment of ward pending in the court of common pleas between the same parties for the same cause, and includes no reference to the question of apprenticeship.¹ It looks therefore as if at first the courts permitted the contract clause to apply to apprentices as well as to servants; by 1365, however, it is distinctly ruled that an action for departure on the statute does not lie against an apprentice; the defendant is forced to plead that he was a servant, not an apprentice.²

Minors. The clearest statement of the law is in a report of a case of which I have not found the record; ³ in an action

¹ Case 2, list in app.: "servientem ipsius Willelmi in servicio suo, videlicet, in officio apprenticii pannarii . . . nuper retentum ad com-morandum . . . vsque ad terminum septem annorum." Note from the record. Cf. also the case summarized on p. 211, in which the issue of apprenticeship is not raised.

² Case 16, list in app.; cf. also case 31, app., F, 4. There are several instances of this plea; *e. g.*; De Banco, 47, Hill., 297, Lond. Cf. Fitzherbert, *op. cit.*, 391: "And a Man shall not have an Action against an Apprentice upon his Departure, upon the Statute;" also Reeves, *op. cit.*, ii, 247.

³ Case 27, list in app. In case 12, list in app., it is ruled that the child in question was too young to make a contract but that nevertheless it was illegal to take him out of his service. The question had been apparently decided in the same way some years before; cf. case 6, app., F, 4, a case in which there is a strange difference between the report and the record. Fitzherbert, *op. cit.*, 390: "If a Man take an Infant or other out of another's Service, he shall be punished, although the Infant or other were not retained." Hale's note is based on the reports of my cases 6 and 12: "See where a Servant was but 9 Years old, in a Writ against him, and the Husband and Wife who had retained him, the Infant was discharged, but the Husband and Wife put to answer, and they plead that he was not retained by them, and Issue

brought against a child of five for departure and a master for its retention, judgment is given for the defendants, on the ground that since the child is too young to make a contract, no action lies against him for departure; and since none lies against the principal, there can, therefore, be none against the accessory, the master, for retention. In other words, the contract clause does not apply to minors although it appears that there is a remedy at common law for the actual "taking" of a child out of service. Somewhere between thirteen and either fifteen or sixteen, depending on whether one takes the evidence of the report or of the record of the same case, is the age at which for the purpose of contracting, a child ceases to be a minor.¹

Above the class of manual labourers. Except in the case of chaplains which I shall discuss at length, there is no evidence that issue was taken during Edward's reign on the applicability of the contract clause to men employed for salaries in occupations that cannot be described as merely manual. The records show actions for departure or retention involving the following: *armiger et camerarius*,² five *balliui*,³ two *camerarii et sagittarii*,⁴ two *clerici*,⁵ one of

taken, but as it seems to me *Finchden* there takes a good Diversity, if the Servant departs first (where he was never lawfully retained) there an Action does not lie against him who shall afterwards retain him: *contra* if he be taken with Force, *etc.*, Action lies, tho' he found the Infant Vagrant and retained him." See also p. 195 and note 4.

¹ Case 26, list in app.; but Fitzherbert and Hale both put the limit a little earlier, *i. e.*, at twelve for a covenant in husbandry; see *supra*, p. 179, note 4.

² *Coram Rege*, 48, Mich., Cavendish, 18, Lond.

³ *De Banco*, 33, Mich., 250, Hunts.; 39, Pasch., 287 d, Dorset; 50, Hill., 487 d, Norfolk; record of case 33 and case 34, list in app. An analysis of the last is given *infra*, p. 188, note 2.

⁴ *Coram Rege*, 48, Mich., Cavendish, 18 d, Lond.; *De Banco*, 47, Hill., 79, Camb.

⁵ *Ibid.*, 46, Pasch., 350 d, York; 47, Hill., 377 d, York. In the latter

whom is a school-teacher, *decanus decannatus*,¹ *hospiciarius*,² *mercator*,³ a man who had been retained *in officio ad colligendum elemosinas Sancti Antonii et Sancti Spiritus*,⁴ *senescallus*.⁵ The pleas are all perfectly commonplace, issue being taken on mere questions of fact,—permission to depart, difference of dates of contract, lack of payment, denial of retention or of departure. It is true that a plea to the effect that the statute was not applicable to this class of employees, if not allowed by the court, would not have found its way on to the records; it would, however, almost surely have been noted by some reporters and therefore appeared in the Year Books; ⁶ the silence of the latter for the reign of Edw. III, confirmed by the evidence of the above cases, certainly proves that at this time the contract clause was applied very generally.

Chaplains. Objections were made only in the case of chaplains. In this instance also it is important to use the records of cases not reported as well as the reports; the former afford conclusive proof that for a time writs based on the contract clause were upheld by the courts against chaplains just as against bailiffs and school-teachers. There

the defendant had been retained by the plaintiff: “ad deserviendum ei in arte sua, videlicet, ad adiscendum scolares suos in scholis suis grammatice.” Cf. in Gasquet’s *Great Pestilence*, 48, a quotation from *Continuatio Chronici Guillelmi di Nangiaci*: “And few were found who could or would teach children the rudiments of grammar in houses, cities or villages.”

¹ De Banco, 42, Hill., 381 d, Norfolk.

² *Ibid.*, 49, Mich., 77 d, Suffolk.

³ *Ibid.*, 46, Mich., 644, Lond.

⁴ *Ibid.*, 50, Mich., 471, Wilts.

⁵ *Ibid.*, 49, Trin., 250 d, Leic.

⁶ In case 33, list in app., an action for departure, the defendant had merely denied the retention; the reporter quotes the case for a point on the law of contract, and it only appears from the record that the defendant’s occupation was that of a bailiff.

are several cases where issue is taken on questions of fact,—denial of retention or reasonable cause for departure;¹ but at the very end of the reign a successful attempt is made to take chaplains out of the category of those against whom an action on the ordinance could be brought. In the first case in which the change is noted the report is exceedingly condensed;² to the plaintiff's count that the defendant had broken a covenant to be seneschal and to celebrate divine services, the plea is urged that he had merely been retained to chant masses—which does not come under the statute; no argument is given either in report or record. The report and record of the second case, a year later, are more explicit;³ the

¹De Banco, 30, Pasch., 217 d, Warwick; 41 d, Devon; in the latter the defendant's contract with "parsona ecclesie" had been "quod deseruiret ei in officio capellani parochialis ecclesie sue de Beworth et haberet curam rectorie sue ibidem." *Ibid.*, 39, Pasch., 392, Midd., contains a record of a case in which the contract had been "in officio capellani parochialis," and the defendant's plea is reasonable cause for departure: "quod tempore conuencionis predictae facte inter eos, concordatum fuit quod idem Walterus inter alia inueniret ipsi Thome per totum tempus predictum tabulam suam, videlicet, victum vt in cibis et potubus et eciam vnam cameram pro huiusmodi seruicio et dicit quod ad prefatum festum Pasche predictus Walterus tabulam suam ipsi Thome subtraxit . . . camera sua expulsi et eas ei vltius inuenire noluit."

²Case 34, list in app. In the record the plaintiff claims that the defendant's contract had been "in officio balliui et colectoris firmarum et reddituum ad capellam . . . spectantium." To which the defendant replied that his contract had been not "in officio balliui" but "in officio capellani ad celebrandum missas et alia diuina facienda que ad officium sacerdotis in ecclesia Dei spectant." Although there is a difference in the dates of the report and the record, as well as a slight discrepancy between the counts, my belief is that they refer to the same action. With the exception of two, I have examined all the De Banco Rolls until the end of the reign and have found no other chaplain case except the record of case 42, app., F, 4. Moreover out of 312 cases, there are in all only four cases besides this one that deal with chaplains, and as errors in the dates of the reports are frequent, the chances are in favour of the correctness of my hypothesis.

³Case 42, app., F, 4.

chaplain is not an ordinary labourer, but a servant of God, and he should be punished by the ecclesiastical courts; referring to a case in a previous term, the chief justice of common pleas says: "it is our opinion and that of our companions of the king's bench that a chaplain is not bound by the statute as other people are." The plea in the record of this action that the ordinance is general, referring to every kind of person of whatever condition or rank, while not maintained in the case of chaplains, certainly shows the attitude at this time toward the contract clause.¹ In the next century when the question came up again, limitations were made by the courts on this elastic interpretation of the law;² but it is significant and worthy of emphasis that during Edward's reign, while quarter sessions were enforcing the wages and price clauses against what are technically called the labouring classes, the upper courts were upholding an extension of the contract clause so wide as to make it apply to all who were working for salaries; an extension undoubtedly never contemplated by the framers of the ordinance.

(5) *The contract*.—The reason for the application by the courts of the contract clause of the ordinance to employees of all ranks and conditions³ and also the nature of this novel form of contract, can best be understood by emphasiz-

¹ Fitzherbert, curiously enough, although he summarizes the reports of both these cases in his abridgment, does not refer to them in *New Nat. Brev.*; he there states explicitly that a chaplain is bound by a statutory retainer; see *supra*, p. 180, note 2. Cf. Reeves, *op. cit.*, ii, 247, note: "Of course it was held that such persons (*i. e.*, chaplains) were not within the statute." The change in the practice of the courts becomes apparent only by a study of the Plea Rolls. It seems strange that the instructions to bishops at the end of the first ordinance were not quoted or the regulation of chaplains' wages by 36 Edw. III, st. 1, c. 8, *Statutes*.

² Cf. Reeves, *op. cit.*, ii, 274, note.

³ See s. 4 for exceptions.

ing the difference between the latter and the old "covenant" of the common law; the discussion in this section is restricted to cases in which free men are concerned. The essential distinction although not specified by the ordinance is made clear by the interpretation of the courts; in several important cases attention is called to the fact that an action of covenant at common law can be maintained only when specialty can be produced, that is, when the covenant had been made under seal,¹ while a retainer under the ordinance is an engagement not based on a written document.² I have found no reference to the necessity of witnesses for the validity of such a retainer³ and only one instance of the mention of the taking of an oath.⁴ The contract seems to be merely a parol agreement, with no formalities prescribed as to the method according to which it was to be made,⁵ but plainly indicates a status different from that of service without any agreement at all, or *pro voluntate*.⁶ In a number of cases it is emphasized by the courts that the mere making of a contract of this kind, even if the service has

¹ Cases 28 and 32, app., F, 5; *cf.* pt. ii, ch. i.

² Case 31, app., F, 4; "*communis retencio siue conduccio*." The term "*conuencio*" is frequently used; *e. g.*, in case 9, app., F, 6. It is to be noted that both on the Plea Rolls and in Fitzherbert's commentary, the ordinance is commonly referred to as the statute; I shall try in this section to distinguish between them.

³ Such as are suggested, *e. g.*, in the Waterford custumal; see p. 159, note 6; *cf.* also app., 249, for reference to witnesses in a compulsory service case.

⁴ Pat., 28, pt. 1, m. 20, 16 Jan.; "*Pro priore et fratribus de Wytham*."

⁵ *Cf.* the account of the borough law of agreement; p. 159, note 6.

⁶ De Banco, 50, Mich., 545, York. The request of the insurgents recorded in the *Anominalle Cronicle* (printed by Trevelyan in *E. H. R.*, xiii, 517) is to the point: "*que null ne deveroit servir ascune homes a sa volonte de mesme et par couenante taille*." Mr. Kriehn has already pointed out that this is a demand for the repeal of the statutes of labourers; "*The Social Revolt in 1381*," in *A. H. R.*, vii, 282.

not actually begun, is equivalent to the *corporaliter* in service of the common law.¹

Although information is lacking of the way in which this parol agreement was solemnized, many details of its terms and conditions are given in the ordinance or appear as the result of decisions of the courts. The statute had specified that engagements of labourers should be by terms of the usual length, *i. e.* a year or six months, and not by the day;² the courts therefore hold that a contract for a day's work or for several days cannot be enforced under this legislation, and that to disprove the existence of a statutory retainer it is sufficient to show that the agreement had been for a day at a time merely.³ An extreme instance has come to my notice in an action for departure and retention where the justices of labourers had apparently construed such service by the day as equivalent to a state of "vagabondage."⁴ As early as 1356 issue is raised as to the legality under the new law, of a contract for a term longer than a year; it is at this date decided that a contract of even seven years is admissible⁵ and records of actions continue for some time afterwards to show examples of terms varying from two to

¹ Cases 28 and 36, app., F, 5; but *cf.* the report of case 33, list in app., for an apparently different decision.

² App., 13. Hence the writ: "Quod servientes deserviant per terminos usuales et non per dietas," in the *Registrum*. *Cf.* also the quotation from *Vox Clamantis* given on p. 75, note 2.

³ Case 3, list in app.; De Banco, 39, Mich., 233, Camb.; 41, Pasch., 199 d, York. Fitzherbert, *op. cit.*, 391: "And if a Man do retain one to serve him for 40 Days, and another doth afterwards retain him to serve him for a Year, the first Covenant is avoided, because the Retainer was not according to the Statute.

And so if a Man be retained to serve at every Time he shall be required, it is no Retainer according to the Statute, but a Covenant if it be by Deed; and without Deed it is void."

⁴ De Banco, 38, Pasch., 198, York.

⁵ Case 6, app., F, 4.

ten years.¹ Subsequently, however, when the question comes up again, the justices of the court of common pleas are unable, on the spot, to give judgment;² but since later instances occur of contracts for more than a year,³ it is to be inferred that their decision was in favour of the long terms. Other elements of the agreement between master and servant, such as the amount of wages and the details of the tasks to be performed, evidently enter into the making of the contract, as they are often explicitly stated in the plaintiff's count,⁴ while the defendant frequently denies that the contract had been of the form thus described.

The wording of the clause in the ordinance stipulates certain conditions under which the servant is released from his contract.⁵ The simplest of these is permission from the employer to depart, a fairly common plea on the part of the defendant.⁶ In one case a servant's wages are, by agreement, deducted for his absence;⁷ in another, a writing releasing the servant from his contract is produced in court.⁸

¹ De Banco, 33, Pasch., 11 d, Linc., 3 years; 34, Hill., 205, Devon, 10 years; case 26, list in app., 9 years; record of case 29, list in app., 2 years; case 18, list in app., 3 years.

² Case 31, app., F, 4; the record shows that Fitzherbert's summary is not correct.

³ *E. g.*, De Banco, 49, Pasch., 274 d, Linc., 2 years; *cf.* Fitzherbert, *op. cit.*, 391: "And a Man may retain one for two or three Years, and it is good;" also: "And if a Man do retain one to serve him, and doth not express for how long he shall serve him, he shall serve him for a Year, for that Retainer is according to the statute."

⁴ De Banco and Coram Rege Rolls, *passim*. *Cf. e. g.*, case 3, list in app., quoted in s. 3 or the following description: a labourer had been retained "in quodam officio ad eradicandum spinas, tribulos et genetias in quadam pastura vocata le Broom, et eandem pasturam mundandam et claustrandam . . . per vnum annum integrum." De Banco, 45, Mich., 434 d, Essex.

⁵ App., 9.

⁶ *E. g.*, De Banco, 45, Trin., 259, Camb.; 50, Pasch., 465 d, Norfolk.

⁷ *Ibid.*, 50, Pasch., 340 d, Herts. ⁸ *Ibid.*, 40, Mich., 132 d, Lond.

A justification for the departure of a servant, allowed by the ordinance, but more difficult to prove, is "reasonable cause." This is interpreted by the courts in varying ways: unpaid salary, either in money or in kind;¹ lack of sufficient food;² ill-treatment, of which there are many specific instances; thus a servant's life is threatened,³ or a servant is beaten so that she departs *pur doute de mort*.⁴ In addi-

¹ In case 3, list in app., an action against a master for retention and against two servants for departure, the plea of one of the latter is that his wages had not been paid; the plea is traversed by the plaintiff, and the issue was on the question of fact. In case 22, list in app., the defendant justifies his departure by the failure of the plaintiff to pay the wages stipulated and issue was joined on the question as to whether the payment had been made. In *De Banco*, 34, Hill., 276, Kent, the defendant justifies his departure by the neglect of the plaintiff to pay the promised wages of "unum quarterium bladi et duos solidos argenti;" . . . therefore he had departed "post rationabilem promonicionem eidem Thome prout moris est factam." See also *De Banco*, 41, Mich., 244 d, Oxford; 45, Hill., 408, Suffolk.; 49, Pasch., 298 d, Kent. In case 18, list in app., when a servant sues an employer for his arrears of wages it is apparently held by the court that the plaintiff's departure within the term, if proved, would bar his action.

² *De Banco*, 39, Pasch., 392, Midd. (*cf.* p. 188, note 1); 40, Mich., 142, Camb.; Fitzherbert, *op. cit.*, 391: "And keeping from the Servant Meat and Drink is a good Cause for his Departure from his Service.

And so for Battery; or Licence to depart, is a good Cause of Departure."

³ *De Banco*, 46, Mich., 299 d, Leic.; the defendant, a "communis ancilla," had departed because her employer had threatened to take her life on her refusal to be his mistress. *Ibid.*, 49, Pasch., 274 d, Linc.; the plaintiff is accused by the servant of having threatened him "de vita et membris." *Ibid.*, 38, Trin., 388 d, Kent, the servant (Willelmus) "dicit quod Matildis, vxor predicti Iohannis Colkyn (the first employer), ipsum Willelmum de die in diem sepius verberauit, et similiter idem Iohannes Colkyn ipsam Matilidem manutenens etc., ipsum de vita et membris minatus fuit et ad ipsum verberandum quendam cultellum extraxit, per quod ipse metu mortis sue vel perdicionis aliquorum membrorum etc., recessit alibi pro seruicio sibi querendo, . . ."

⁴ Case 25, list in app. Fitzherbert, *op. cit.*, 392: "If the Master's Wife do beat the Servant, it is good Cause for the Servant to depart and leave his Service."

tion to these specifications by the ordinance of the rights of the employee, the courts hold that a conditional contract made by the latter is valid and need be carried out only if the conditions are fulfilled; for example, there is one instance of an engagement made subject to the consent of the servant's parents,¹ and another, to that of a previous master.² It is also ruled by the courts that a contract made by a servant under compulsion need not be kept;³ that imprisonment by another master is a good plea to justify a servant's departure,⁴ also forced obedience to the orders of the justices of labourers.⁵ In nearly half the departure cases, however, without relying on any of the above justifications, the servant is content with the plea of a bald denial of the retainer;⁶ very frequent also is his denial of his departure within the term, or his assertion of the completion of his term; the two latter pleas being often based on the claim of a difference in the length and the dates of the term agreed upon from those named by the plaintiff in his count.

It is evident that this new form of contract gave certain well-defined rights to employees; it is equally evident that it bestowed far more important advantages on employers than they had possessed at common law, both as against

¹ Case 32, app., F, 5. For other forms of conditional contract, *cf.* the record of case 22, list in app., and case 42, app., F, 4.

² De Banco, 46, Trin., 327, Linc.

³ *Ibid.*, 33, Pasch., 181 d, Hunts.; 33, Mich., 224, Dorset; 40, Mich., 142, Midd. *Cf.* also case 4, list in app.; the second master in a departure and retention case claimed that the plaintiff had kept the servant in prison and compelled him to make a contract "par force et par dur-esse."

⁴ De Banco, 41, Pasch., 223 d, Kent.

⁵ *Ibid.*, 38, Pasch., 198, York.; *cf.* p. 191, note 4.

⁶ Space prevents me from giving the long list of references to the commonplace pleas.

their employees and as against competing employers. These advantages are worth noting. At common law a master can keep an unwilling servant in his service by force;¹ but if the servant once make good his escape, or if a servant after agreeing to enter the service of a given master, never appears, the master has no remedy.² According to the ordinance on the contrary, in either of the last two circumstances, the master has a right to re-capture the servant and even to use imprisonment or other means of forcible restraint; in an interesting test case the plea of a servant to the effect that only a suit is legitimate for the master in such circumstances is not allowed by the court.³ Again, at common law, a master has an action of trespass against a second master, only if the latter actually "take" the former's servant *vi et armis* out of his service.⁴ This action is not abolished by the ordinance,⁵ but by the latter's provisions essential additions to the rights of the first master are made, namely: if a second master persuade a servant to leave

¹ Case 10, app., F, 5.

² Case 36, app., F, 5.

³ Case 10, app., F, 5.

⁴ Cases 6 and 36, app., F, 4 and 5. *Cf.* summary of case 12, list in app., quoted on p. 185, note 3. In case 27, list in app., discussed on pp. 185-186, the issue turns on the question of the minority of one of the servants; the judgment includes the statement that at common law an action lies only if a servant is actually taken out of service. Reeves, *op. cit.*, ii, 274-275, note, in a translation of a Year Book case, 11 H. IV, f. 23, affords the most explicit account of the distinction between the common law and the ordinance: "Thermug, If my servant, before the statute, went out of my service, I suppose well that no action is given to the master, but if a man took my servant out of my service, then action of trespass lay at the common law, and still lies; . . . Hankford, I am of the same opinion as my master has expressed, that if my servant depart out of my service, at common law I can have no action, and the cause was for that between me and my servant it is a contract, upon which no action lay at the common law without a specialty, and for this mischief the statute was made, and action given on it."

⁵ *Cf.* quotation in note 4, *supra*, and case 17, app., F, 5.

his first master,¹ or to fail to keep his agreement to enter the service of the first master;² or if a second master, without any overt act inducing a servant to leave the service in which he is bound, has merely taken into his service a servant who has previously of his own accord broken contract with his first master,³—in all these cases, the first master has rights and remedies under the new law. In the first place, if he chance to come across his fugitive servant anywhere, he can carry him off bodily,⁴ but it is assumed though nowhere explicitly stated, that to accomplish this end he cannot employ violence against the second master.⁵ In the second place, the first master in the three cases enumerated above, can serve notice on the second master, demanding back his servant, and if the second master fail to comply with this request, the first master then has an action on the ordinance against him.⁶

¹ Cf. *supra*, p. 195, note 4. Fitzherbert, *op. cit.*, 392: "If the Servant be drawn away, the Master may re-apprehend him, and keep him in Spight of him." Also 388: "If a Man do retain my Servant being in my Service, for which the Servant departeth from me, *etc.*, and goeth to serve the other, I shall have an Action against him who retained him, and against the Servant, upon the Statute of 23 Edw. III."

² This follows from cases 28 and 36, app., F, 5.

³ The wording of the ordinance implies this; also the form of the writ for retention; cf. also the argument in case 6, app., F, 4, Fitzherbert, note 6, *infra*, and note 3 on p. 185.

⁴ Cf. note 1, *supra*; also case 17, app., F, 5, where the record includes the phrase: "*inuenit et reduxit.*" In case 10, app., F, 5, the master re-captured and imprisoned the servant; in case 9, app., F, 6, it is asserted that a master could have taken his servant who had departed even if he had been free; in *De Banco*, 40, Pasch., 175, Suffolk, an action of trespass *vi et armis*, the defendant pleads previous contract with the servant which gave him a right to take her.

⁵ Cf. case 17, app., F, 5, in which *vi et armis* are denied.

⁶ The form of the writ includes a phrase as to notice; app., 411; Fitzherbert, *op. cit.*, 390: "And if a Man be retained in Service, and go wan-

In more than half of the suits of this character noted in my investigation the defence of the second master is merely the denial of the retention, with no further plea. Other cases include interesting details; for example, two actions are recorded in both of which it is claimed that there had been no retention by the defendant who had been merely performing his duty as constable; in one, the defendant had found the servant vagrant and had compelled him to serve a former master;¹ in the other, the defendant had put a servant in stocks in obedience to the justices of labourers.² Occasionally the second master denies the existence of a contract between the plaintiff and servant or claims that there had been such a contract but that it had been already carried out or broken for just cause; sometimes he states that he had had a contract with the servant antedating that with the plaintiff;³ in one case he is able to show a technical error in the form of the plaintiff's writ.⁴ A fairly usual plea of the second master is that he had found the servant in question a vagrant,⁵ or even begging for help,⁶ and that therefore he had rightfully rendering abroad out of his Service, another Man may compel him to serve him, *etc.*, because he is out of Service.

And so if a Man do retain another's Servant, not knowing that he was in the Service of the other, he shall not be punished for so doing, if he do not retain him after Notice of his first Service."

¹ De Banco, 34, Hill., 142, Berks.

² *Ibid.*, 39, Pasch., 328 d, Devon.

³ Case 4, list in app.

⁴ Case 8, list in app.; a technical error in the writ is also pleaded in De Banco, 38, Pasch., 198, York.

⁵ *E. g.*, De Banco, 34, Hill., 106 d, Stafford; 38, Trin., 199, Bucks.; 347, Lond.; 39, Hill., 248 d, York; 40, Mich., 553, Glouc.; 389 d, Warwick; 41, Pasch., 329 d, Northants.; 116 d, Wilts.; 45, Mich., 281 d, Berks.; 50, Hill., 223 d, Norfolk; case 3, list in app.

⁶ De Banco, 39, Mich., 372 d, Leic.; the defendant had found the servant (bercarium) "infirmum . . . requisivit . . . vt sibi succurreret et auxiliaret."

tained him. This appeal to the compulsory service clause seems to prove that it was more effective than had been indicated by the few cases brought directly on it. Now the ordinance had stipulated that the vagrant must be *alteri non serviens*; from the above discussion it results that if a new employer is honestly ignorant of the previous contract, he is not punishable for employing a vagrant, even if the latter has left his legitimate service. He runs two risks, however, from the rights of a previous employer: ¹ the latter may chance to come across his servant and in this case, as has been shown, has a right to re-take him,² and thus to cause the employer of the vagrant to lose his service; or the first employer may serve notice on the new employer demanding back the servant, and the new employer must either restore the vagrant or be sued.³ Toward the end of the reign certainly, and possibly before, a distinction grew up between the employment of vagrants in the same county as that in which their first retainer had been and their employment in a different county from that of the first retainer. Greater laxity is allowed in the latter case: the new employer is not obliged to recognize the retainer in the other county unless the previous master has served him notice; ⁴ or to put it in the other way, the first master, if his

¹ Granting that he be a bona-fide employer. Cf. case 13, list in app.; to the defendant's plea in a compulsory service action of a previous contract, the plaintiff replies that the contract was a fraud as the alleged master was only a child and did not, in any case, have enough land to entitle him to a servant.

² See *supra*, p. 196.

³ In case 3, list in app., an action against two servants for departure and against a master for their retention, the plea of the latter is that he had found the servants vagrants and out of service; the plea is accepted provided that it can be proved that the servants were really not in the plaintiff's service.

⁴ Case 43, app., F, 6, if correctly interpreted by Fitzherbert in his

servant has escaped into another county, cannot re-take him without first serving notice on the new master. In spite of this partial exception in the matter of different counties, it is obvious that on the whole there was under the contract clause a considerable extension of the rights of the first employer as compared with his rights at common law, and that this extension came into conflict with the provisions of the compulsory labour clause, and thus caused one of the two limitations on the power of a given individual to compel service from a vagrant.¹

In the peculiar stress of circumstances due to the plague, employers almost universally were having serious difficulties in keeping employees to their agreements, and since during this period only the local courts were enforcing unwritten contracts of the type usual in the relations between employers and employees, the former had no remedies in the upper courts.² This unsatisfactory status of the law of parol contract is undoubtedly the explanation³ of the successful attempt made by the lawyers and judges of the king's bench and of common pleas to widen the application of the contract clause, and to bring it about that a bailiff or a school-teacher could be sued for breach of contract under the same form of writ as a ploughman or a carter.

(6) *The effect of the compulsory service and contract clauses on the lord's relation to his villeins.*—The lord's

summary certainly proves this. *Cf.* also Hale's note to Fitzherbert, *op. cit.*, 390: "If it be in the same County, he (the new employer) ought to take Notice of the first Retainer at his Peril, but he is not punishable, if he (the servant) be found Vagrant in another County. . . ." Hale refers to a Year Book report, 17 Edw. IV, f. 7, which contains a clear recognition of this distinction between counties by Littleton, and which gives a cross-reference to my case 43. This latter must be discussed again in connection with villeins; see s. 6.

¹ S. 4, p. 181.

² See pp. 157-158.

³ Page 178.

relation to his tenants causes the second limitation on the right of employers to compel work from vagrants.¹ The ordinance had provided that lords should receive preference both as to their bondmen and as to their free tenants;² accordingly in an action against a labourer for refusal to serve, the plea is urged that the defendant was holding land of a lord for whom he had services to perform, and is upheld by the court on the ground that if the labourer had made a contract with another master, he could not legally have left him to perform the necessary services for his lord. It is added that the statute had been made for the advantage of the lords.³ In a case summoned to Westminster from quarter sessions the justices of labourers had decided that a labourer is justified in refusing to serve an employer when required, if he can prove that he is a villein of another man; the result is the peculiar situation in which a villein is himself interested in proving the fact of his villeinage.⁴ The lords were not slow to perceive their advantage; as early as 1351 the bishop of Winchester succeeded in obtaining a commission of oyer and terminer to punish a bondman who had refused to serve him in pursuance of the ordinance of labourers.⁵ It has already been shown how some years later the abbot of Pippewell was able through special orders issued by the king to compel the justices of labourers in Warwickshire to furnish him with the necessary supply of labourers.⁶

¹ Page 181 and p. 199.

² App., 9.

³ Case 20, app., F, 4.

⁴ App., 248-250, and pt. I, ch. ii, s. 7. Cf. Vinogradoff, *Villainage in England*, 53-55. In discussing the case printed in his app. (case 7 in my list) he writes: "The peculiarity of the case is that a third person has an interest to prove that the man claimed as villain had been as a free man."

⁵ Pat., 25, pt. 2, m. 10 d; 16 Aug. Cal., ix, 161.

⁶ App., 217-218, and pt. I, ch. i, s. 7.

It is not easy to ascertain the precise effect of the contract clause. Up to nearly the end of the reign there is clear evidence in both reports and records that if a villein, who had escaped from his lord or who had by payment of chivage acquired the right to live outside the manor,¹ made a contract with a new employer, he could be re-taken by his lord. The verbs used to describe such a recovery of villeins are: *seisiuit*,² *recepit et reduxit*,³ *abstulit et recepit*,⁴ *arestauit*,⁵ *prisomus*,⁶ *cepit et abduxit*,⁷ *cepit*.⁸ The counsel for the other side does not deny the lord's right to re-

¹ I am indebted to Professor Vinogradoff for suggesting the importance of the second class.

² The record of case 7, list in app., printed by Vinogradoff; the report has "*prisomus*."

³ The record of case 9, app., F, 6; the report has "*prisomus*."

⁴ Case 30, list in app.; in an action of trespass "*vi et armis*" for taking servant out of plaintiff's service, the defendant's plea is that said servant was his "*natiuus*;" therefore "*dictum Thomam ab eodem Iohanne Ewyn (plaintiff) abstulit et recepit sicut ei bene licuit*." Plaintiff claimed that servant was free; issue joined on question of villeinage versus freedom.

⁵ Case 38, app., F, 6.

⁶ Case 41, list in app.; record not found. In an action on the statute of labourers for the taking of a servant out of plaintiff's service, the defendant's plea is that as bailiff of the countess of Pembroke he had taken said servant as villein regardant to her manor.

⁷ De Banco, 33, Hill., 176 d, Wilts; in an action for the retention of a servant, the defendant's plea is that said servant was his villein and that having found "*eundem Walterum villanum suum a dominio suo sine licencia et voluntate sua elongatum, cepit eum et abduxit, prout ei bene licuit*." Issue was joined on question of villeinage versus freedom.

⁸ *Ibid.*, 45, Mich., 579 d, Devon, an action similar to the last: "*Et predictus Willelmus (defendant) . . . dicit quod predictus David est natiuus ipsius Willelmi vt de manerio suo de West Woguill et ipse seiscitus de ipso David vt de natiuo suo toto tempore predicto. Et quia predictus Willelmus indigebat de seruicio ipsius David, idem Willelmus cepit predictum David de seruicio predicti Iohannis (plaintiff), vt natiuum suum, prout ei bene licuit*." Plaintiff denies that servant was defendant's villein; issue on this point.

claim his villein but almost always merely tries to prove that the labourer in question is free, not villein. A curious case originating before the justices of labourers and summoned to Westminster is to the point. Five brothers bring an action on the statute of labourers against a lord, on the ground that, after each of them had entered into a contract with an employer, the defendant had come and taken them each back to his manor and by thus preventing them from fulfilling their contracts had caused them damages to the extent of 20s. each. The plea of the defendant that they are all his villeins is held a good plea by the justices and the plaintiffs are all in mercy; there is apparently no question raised as to his right as their lord to take them out of the service of their new employers.¹ As a logical result of the recognition of the lord's right to re-take his villein even though bound by contract, it is decided by the courts that a servant can justify his departure within the term by proving that he had been distrained² or actually seized as a villein³ by the agents of his lord. Since the ordinance had stipulated that a lord might keep only as many villeins as he needed it is natural that in some of the cases the lord should add to his statement of the villeinage of the servant in question the plea that he needed his services;⁴ yet when

¹ App., 244-248, and p. 96. It is more accurate to say that the question had not been raised before the justices of labourers; I do not know the final result of the case.

² Case 7, list in app., printed by Vinogradoff; cf. also Fitzherbert, *op. cit.*, Hale's note, 391.

³ *Coram Rege*, 47, Hill., Cavendissh, 9, Derby; William Gande, a carter, was attached to answer Thomas de Grenehill for departure within the term: "Willelmus Gande . . . dicit quod ipse die Lune predicto a seruicio predicti Thome contra voluntatem suam captus fuit per Willelmum Shepey, balliuum episcopi Couentrensis et Lychfeldensis, vt natiuus predicti episcopi, apud Sallowe et detentus ibidem per predictum Willelmum Shepeye et alios ministros dicti episcopi. . . ."

⁴ See p. 201, note 8; also case 38, app., F, 6.

there is an attempt to make an issue of the fact as to whether a lord needed this particular villein, the court rules that this point is not issuable.¹

As far as these cases go, if the above analysis be correct, it is clear that at this date neither the compulsory service nor the contract clause interfered with the legal bond between a lord and his villeins; he merely had to state that he required their labour and was then entitled to take them.² In other words the relation of a lord to his villeins or to his tenants who were not villeins³ was equivalent to the relation of a master to a free servant under the terms of a contract; ⁴ both relations stood in the way of the rights of a new employer.

The real difficulty comes up in the interpretation of an action at the very end of the reign including the complication of the escape of villeins into another county.⁵ Ac-

¹ Case 9, app., F, 6. The report had left the matter in doubt, but the record shows that the issue was not allowed.

² Fitzherbert, *op. cit.*, 391: "The Lord may take his Villain out of the Service of another if he hath need of Servants, otherwise not." (19 R. II, 50 Edw. III, 22.) Hale's note somewhat modifies this bald statement; he quotes 30 Edw. III, 31 (case 9) and also reports of later reigns where the lord re-took his villeins. Reeves, *op. cit.*, ii, 247, note: "a lord could take away his villein even from the service of another person." Vinogradoff, *loc. cit.*: "One of the difficulties in working the statute came from the fact that it had to recognize two different sets of relations between the employer and the workman. The statute dealt with the contract between master and servant, but it did not do away with the dependence of the villain on the lord, and in case of conflict it gave precedence to this latter claim; a lord had the right to withdraw a villain from a stranger's service."

³ De Banco, 33, Pasch., 181 d, Hunts.; in an action for retention and departure, one of the defendants (the employer), claims that the other defendants (the two servants), "*ipsi fuerunt tenentes sui et tenebant diversa tenementa sua in villenagio.*" Apparently they were not villeins by status.

⁴ S. 5, p. 198.

⁵ Case 43, app., F, 6, referred to by Fitzherbert as 50 Edw. III, 22; see note 2, *supra*. Cf. pp. 198-199.

cording to the report in the printed Year Book and to Fitzherbert's version of the case ¹ the courts have arrived at the same conclusion in regard to the employment of a vagrant villein as had already been reached in regard to the employment of a vagrant free labourer, bound by a previous contract which he was seeking to avoid; *i. e.* if a villein is vagrant in another county and there enters into the service of a new employer, his lord can legally re-take him only after serving notice on the new master. Brooke's summary omits the distinction between counties; ² while the record, if indeed it be the record of this action, ³ shows that the case turned on an issue quite different from that presented in the report. Although the necessity of notice is clearly emphasized in later cases on the contract of a free labourer, I have come across no further reference to it in regard to a villein; ⁴ on the other hand there are cases after this date

¹ It is strange that Fitzherbert should omit in his commentary the discussion of this point.

² App., 460.

³ It is with much hesitation that I print the record as probably referring to the report under discussion, in view of the fact that Professor Vinogradoff, who was so good as to consider the evidence, is inclined to believe that the report and record do not refer to the same case. That there are striking differences as well as striking similarities must be admitted; but the fact that so very few actions occur that involve both the statutes of labourers and the question of villeinage increases the likelihood that this is the record of the reported case.

⁴ See p. 198, note 4. It will be seen that I am forced to differ from Mr. Savine in his understanding of case 43; *cf.* "Bondmen under the Tudors," in *Trans. Royal Hist. Soc.*, xvii, 254: "Though perfectly hostile to liberal tendencies, the labour legislation in the long run certainly assisted to loosen the dependence of the bondman on his lord. . . . The lord retains the preferential right over the working power of his villein; but when the villein does not find employment in his manor and is vagrant everybody can seize and put him to work, and the lord cannot take him back into his manor until the end of the statutory contract."

in which the lord plainly did reclaim his villein, without anything being said as to notice.¹ Undoubtedly, therefore, this statutory interference between lords and their villeins was limited to instances that involved a second county and cannot be considered as introducing any serious innovation into their legal relations. The requirement of notice was more important practically than juridically; from the point of view of law the distinction was one of procedure and lay in the difference between a remedy offered by a possessor as against that furnished by a petitory action.²

Out of the 312 cases occurring on the 59 Plea Rolls examined, only 9 deal with villeins;³ the reports naturally show a much larger proportion, namely 6 out of 44, but on the whole the inference is sound that the enforcement of the statutes did not very often touch directly on the question of villeinage.⁴ It is, however, possible that since it had become difficult to recover fugitive villeins by the ordinary machinery of the manorial courts, lords who needed labourers made use of the compulsory service clause of the ordinance;⁵ on this hypothesis the very absence of many

¹ Cf. quotation from Hale, p. 203, note 2, *supra*; also the two later cases quoted by Mr. Savine which contain decisions, as he himself recognizes, contrary to his interpretation of my case 43; and make him admit that it is "possible to overestimate the disintegrating influence of this labour legislation," and also that "such judgments as those pronounced in the last two cases certainly limited very much the action of the Statute of Labourers as far as it concerned the villeins if they did not annul it altogether." *Op. cit.*, 255-256.

² I am indebted to Professor Vinogradoff for pointing out this aspect of the question.

³ Of the six reported cases the records have been found of all but one. In addition there are four records of cases not reported and one record dealing with villeins by tenure; these are all quoted in this section.

⁴ One instance has come to my notice in which the lord used the ordinance as a means of recovering "natum et seruientem;" De Banco, 47, Mich., 406, Glouc.

⁵ Cf. note to Reeves, *op. cit.*, ii, 247.

cases in the courts on this clause may be interpreted to mean that, a lord instead of bringing suit to recover his own fugitive villein, found it easier to employ the vagrant villein of some other lord.

The epoch is one of transition during which the position of villeins was undergoing radical changes by no means due to direct legislation. Nowhere are these changes more emphatically revealed than in the cases already quoted in which villeins were bringing actions on the statutes of labourers against their lords; especially, perhaps, in the case in which it appears that villeins were themselves employers of servants and were suing their lords for eloigning these servants.¹

(7) *Judgments and verdicts*.—Of the 312 actions considered in the preceding pages, 299 were on the contract clause.² These, as has been pointed out, were classified as follows:³ 136 against servants for departure, 116 against masters for retention, and 47 against both masters and servants for retention and departure respectively. Of the 6 actions involving the contract clause, there is one of false imprisonment brought by a servant against a master,⁴ and five of trespass *vi et armis* brought by masters against other masters, four of them for taking servants⁵ and one for taking villeins.⁶ There is in addition a report of a case of which I have not found the record, an action for debt brought by a servant against a master and which involves the contract clause.⁷

¹ See pp. 95-96.

² S. 3.

³ S. 4.

⁴ Case 10, app., F, 5.

⁵ Case 17, app., F, 5; case 30, list in app.; De Banco, 40, Pasch., 175, Suff.; 40, Mich., 175 d, Essex and 41, Trin., 312, Essex. In the last case the servant was being punished by stocks.

⁶ Case 43, app., F, 6.

⁷ Case 18, list in app.; see p. 193, note 1.

A further analysis of the 299 cases gives the following results. *136 actions for departure*: attachment (no further process), 15; jury on question of fact (result not given), 107; judgment on question of law, 8; jury on one point (result not given) and judgment on another, 1; jury on question of fact, verdict given, 5.

116 actions for retention: attachment, 7; jury on question of fact, 101; judgment on question of law, 1; judgment asked but not recorded, 1; jury on one point and judgment asked on another, 1; jury on question of fact, verdict given, 5.

47 actions for retention and departure: attachment, 3; jury on question of fact, 39; jury on one point and judgment on another, 2; jury on question of fact, verdict given, 3.

Totals: attachment, 25; jury, 247; judgment, 9; judgment asked but not recorded, 1; jury on one point and judgment on another, in one instance asked but not recorded, 4; jury on question of fact, verdict given, 13.

In the comparatively few instances where the final results are recorded,¹ the important question to be answered is: are the findings of the courts for or against the labouring classes? The judgments may be considered first. By a strange coincidence I have failed to find the records cor-

¹ It is not only in actions on the statutes of labourers that the results do not appear. Cf. Introduction to Year Book, 3 Edw. II, lxxi (Selden Soc.): "A day is given to the parties to hear their judgment. A blank space for the judgment is left upon the roll, and blank it remains after the lapse of six centuries. What happens in these cases we do not know; but we fancy that very often the parties, weary of waiting for a judgment, patch up their quarrel without telling the Court anything about the compromise. In some future volume we, or some of our successors, may be able to explain more fully than we could at present how it comes about that so many records finish with an issue of fact or with an issue of law, and show no judgment and no verdict."

responding to six reports where judgment was given, four of which belong to the group of contract cases, in addition to the judgments included in the figures given above. In the first of these four, an action for retention, judgment is for the defendant, on the ground of the minority of the servant;¹ in the second, an action for retention and departure, for the defendants, on the same ground;² in the third, an action for the departure of two servants, for the defendants, on the ground that there should have been two writs instead of one; in the fourth, an exactly similar action, a similar judgment.³ Of the two cases in which the judgment although asked is not recorded, one is an action for retention in which the defendants ask for judgment on the plea of another action pending between the same parties for the same cause;⁴ the other is also an action for retention, in which the defendant asks for judgment on the ground that the ordinance does not apply to contracts for a term longer than a year.⁵ In the nine cases where judgment is recorded, the details are as follows: in three departure cases, the judgment is for the plaintiff, on admission of guilt by the defendant;⁶ in four departure cases, for the defendant, be-

¹ Case 12, list in app.; *cf.* p. 185, note 3; also p. 195, note 4.

² Case 27, list in app.; *cf. ut supra.*

³ Cases 19 and 37, list in app.; the latter is worded as follows: "et fuit demaunde judgement de brief . . . le covenant de lun nest pas le covenant de lautre, ne le service, et per consequens, le departure de lun nest pas le departer lautre."

⁴ Case 2, list in app.

⁵ Case 31, app., F, 4, and s. 5. p. 192.

⁶ De Banco, 33, Mich., 161, Northants; fine of 2s. for defendant, *laborarius*. *Ibid.*, 34, Hill., 195 d, Lond(?). (the defendant is *allutarius*). "Ita consideratum est quod predictus Ricardus Freman (plaintiff) habeat predictum Ricardum Perre, seruientem suum, de sibi seruiendo per tempus supradictum in officio predicto in forma predicta . . . venit

cause the plaintiff failed to prosecute;¹ in one action for departure, for the defendant, on the ground that the plaintiff's offer of waging his law as to the truth of the facts at issue was not acceptable;² in an action for retention, for the defendant; writ abated on ground that it had been brought in the wrong county.³ There are three cases where there is a judgment recorded on one point and an appeal to a jury on another: in a departure case, judgment is for the defendant, on the ground that the statute does not apply to the contract of a chaplain;⁴ in a departure and retention case, for one defendant, the servant, on the ground of his minority;⁵ in another departure and retention case, for one defendant, also the servant, on the ground that distraint by his lord exempts a villein from the penalties of the or-

predictus Ricardus Perre hic in curia et fecit finem cum domino Rege pro duobus solidis per plegiagium . . . Ideo eat inde quietus etc. Et deliberatur eidem Ricardo Freman per curiam etc., ad deseruiendum ei in forma predicta etc." *Ibid.*, 40, Pasch., 196 d, Bucks.; defendant, *carucarius*, is assessed 100s. as damages. "Ideo consideratum est quod predictus prior (plaintiff) recuperet seruientem suum et dampna etc. Et idem prior in presencia curie remittit dampna etc."

¹ *Ibid.*, 38, Trin., 405 d, Bucks.; defendant, *carucarius*; *ibid.*, 42, Hill., 480 d, Oxford, defendant, *seruiens*; *ibid.*, 45, Mich., 539 d, Lond., defendant, *seruiens*; Coram Rege, 48, Hill., Cavendissh, 9, Lond.; defendant, a card-maker.

² Case 25, list in app.; cf. s. 5, p. 193, note 4. The defendant, *nutrex*, pleaded that she had left because she had been beaten by plaintiff and also that she had had permission to depart; when forced to choose between the two pleas she chose the latter. Note from the record: "et predictus Willelmus (plaintiff) dicit ex quo ipse paratus est facere legem suam quod ipse non dedit ei licenciam a seruicio suo recedendi quem quidem exitum predicta Matilldis recusat petit iudicium et dampna sua etc. Et quia huiusmodi exitus non est acceptabilis consideratum est quod predictus Willelmus nichil capiat per breue suum set sit in misericordia. Et predicta Matilldis inde sine die." For wager of law, see Pollock and Maitland, *Hist. Eng. Law*, ii, 634, *et seq.*

³ Case 8, list in app.; servant involved, *seruiens*.

⁴ Case 42, app., F, 4, and pp. 188-189. ⁵ Case 6, app., F, 4, and p. 185.

dinance.¹ In the action of false imprisonment brought by the servant judgment is for the defendant, *i. e.* the master, on the ground that under the contract clause re-capture by force is legal as a means of holding a servant to his agreement.² Therefore, of these seventeen actions, in eleven the judgments are in favor of the servants, and in two of the second masters and therefore of the servants also; and in only four are they against the servants, and in three of these because of their own confessions.

In turning to the verdicts of the juries, it is to be recalled that out of the 299 cases on the contract clause, thirteen verdicts are recorded and out of the six cases involving the clause, one; these verdicts must be considered somewhat in detail, the plea of the defendant and the occupation of the servant being noted, as well as the penalty.

Actions for departure.

- 1 Denial of date of contract by *carucarius et carectarius*; damages of 40s. for plaintiff.³
- 2 Denial of contract by *bercarius*; damages of 2 marks for plaintiff.⁴
- 3 Denial of date of contract by *communis ancilla*; damages of 20s. for plaintiff; defendant also fined 2s.⁵
- 4 Ill-treatment and failure of plaintiff to pay wages to *laborarius*; damages of 10 marks for plaintiff; defendant also fined 2 marks.⁶

¹ Case 7, list in app., printed by Vinogradoff; *cf.* s. 6, p. 202.

² Case 10, app., F, 5; also p. 195.

³ De Banco, 33, Pasch., 11 d, Linc.; plaintiff had sued for 10 marks. The plaintiffs regularly asked for much higher damages than they obtained.

⁴ *Ibid.*, 38, Trin., 343 d, Sussex.

⁵ *Ibid.*, 47, Trin., 231, Warwick.

⁶ *Ibid.*, 42, Hill., 475, Lond.

- 5 Denial of contract by *carectarius*; damages of 2s. for plaintiff; defendant also fined.¹

Actions for retention.

- 1 Denial of retention of *ancilla*; damages of 10 marks for plaintiff.²
- 2 Denial of retention of servant contrary to the ordinance; damages of 4 marks for plaintiff.³
- 3 Denial of knowledge of previous contract of servant who had been engaged *in officio custodis aueriorum*; damages of 50s. for plaintiff.⁴
- 4 Denial of retention of servant who had been engaged by plaintiff as apprentice *in artificio cellarii*; damages of 10 marks for plaintiff; defendant also fined half a mark.⁵
- 5 Vagrancy of *carucarius* pleaded by second master and mistress; damages of £10 for plaintiff, remitted because of general pardon at death of Edward III.⁶

Actions for retention and departure.

- 1 Denial of retention by second master, and of departure by *lotrix*; damages of 40s. for plaintiff; second master fined 40d. and *lotrix* fined 12d.⁷
- 2 Vagrancy pleaded by second master, ill-treatment by *ancilla*; damages for plaintiff of 40 marks from second master and 10 marks from *ancilla*.⁸

¹ Coram Rege, 47, Trin., Cavendissh, 22 d, Rutland; two justices "de Banco" appeared in this case.

² De Banco, 41, Mich., 270 d, Suff.

³ *Ibid.*, 506, Devon; plaintiff had asked for £20.

⁴ Coram Rege, 47, Hill., Cavendissh, 51, Northants.; defendant claimed that he had even asked servant if he were already bound by contract. Plaintiff had asked for £40.

⁵ *Ibid.*, 28, Hill., Shareshull, 43, Midd.

⁶ De Banco, 50, Trin., 192, Kent.

⁷ *Ibid.*, 40, Mich., 275, Lond.

⁸ *Ibid.*, 553, Gloucester.

- 3 Vagrancy pleaded by both the second masters; lack of contract and also lack of food and clothing by the two *ancille*; damages for plaintiff of 16d. from one *ancilla* and 2s. from the other; and 36s. 8d. from each of the masters.¹

In the action of trespass *vi et armis* for taking servant, the plea of previous contract urged by the defendant is not upheld, because the plaintiff is able to prove that the defendant's ill-treatment had justified the servant's departure; the verdict is damages of 4 marks for the plaintiff and also a fine of 5s. for the defendant.² Out of these 14 verdicts, therefore, there is not one explicitly for the servant although in the last case he benefits by the verdict for the plaintiff.

In the small number of actions on the compulsory service clause, only two altogether, and one involving the clause,³ no example occurs either of a verdict or of a judgment; but to these actions found on the Plea Rolls must be added the reports of two cases, for which I have not succeeded in identifying the records. In one of these the judgment is for the defendants on a technicality; there should have been two writs instead of one;⁴ and in the second

¹ De Banco, 50, Hill., 223 d, Norfolk; "Et eedem Cristiana et Sibilla separatim dicunt quod quedam Alicia mater ipsarum Cristiane et Sibille fuit comorans per longum tempus cum predicto Thoma (plaintiff), quasi amica et seruiens eiusdem Thome, ipsis adtunc tenuris etatis et cum eadem matre sua in domo ipsius Thome comorantibus, et postea mater earundem obiit; post cuius mortem ipse comorabantur cum eodem Thoma quasi filie sue et ipsi deseruiebant absque aliqua conuencione, et postea cum etas earundem accrescebat et idem Thomas eis pro victu et vestitu suis necessariis pro earum statu et labore competencia non inveniebat, eedem Cristiana et Sibilla ab eodem Thoma recesserunt."

² Case 17, app., F, 5.

³ See pp. 175-176, for references to these, and also to the remaining four cases making up the total of 312.

⁴ Case 14, list in app.; Hale's note to Fitzherbert, *op. cit.*, 389, quotes

the judgment is also for the defendant, on the ground that he had sufficient services to perform for a lord of whom he held some land and that therefore he was exempt from the clause.¹

The result of these figures is to prove that the courts were perfectly ready to allow to servants or to masters offending against the labour legislation the full advantage of any legal technicalities; but that the juries almost never gave verdicts in favor of servants or even of employers who were charged with infringement of the law. It has already been shown what kind of questions of fact arose in actions for breach of contract; but it has also been admitted that no information has come to my notice as to the necessity of any formality, such as the presence of witnesses, for the validity of the parol agreement between master and servant. If a servant said in court that no such agreement existed, or if a second master claimed a previous contract with the servant, it must have been difficult to establish either the truth or the falsity of the statement. In the existing conditions of the labour market the sympathy of witnesses called in to testify and also of the jurors was likely to be on the side of the plaintiff, while the presumption of guilt was certainly on the side of the defendant. There is small cause for wonder that even by conscientious jurors the acquittal of servants and masters on trial was not frequent.

An exhaustive study of the Plea Rolls for the reign of Edward would undeniably still further confirm the impression that the upper courts were giving full measure of attention to the statutes of labourers, thus supplementing

this report: "One cannot join, in one Writ, two Persons who refuse to serve." It is strange that the writ in the *Registrum* should be against two; app., 412.

¹ Case 20, app., F, 4; cf. also s. 4 and s. 6.

to an important extent the work of the special machinery devised for the enforcement of the legislation. So apparent is this whole aspect of the execution of the statutes that one is surprised at the remark of the chief justice of common pleas: *Lestatut fuit fait par cause de seruant pris deuant Iustices de laborers en pays et nemy deuant nous*.¹ Not only have the records proved valuable as showing changes in the interpretation of the law by the courts that had escaped the notice of the reporters, but also as containing a veritable store-house of details illustrating the relations between masters and servants and thus throwing light on the homeliest incidents of every-day life.

¹ Case 29, list in app.

PART III

SUMMARY OF THE WORK OF THE KING'S COUNCIL

At many points in the preceding study of the labour legislation and of its enforcement, reference has been made to the part played by the king's council; in conclusion, therefore, it seems desirable to recapitulate the more important phases of its activity, in order to convey an impression of its relation to the whole administrative machinery.¹

Owing to the inability of parliament to meet during the plague, the first ordinance was framed and promulgated by the council, and proved to be not a mere temporary expedient, but a permanent measure having all the force of parliamentary legislation, and in many ways a more important enactment than the statute by which it was afterwards supplemented. With the council originated the ingenious device proclaimed in the second ordinance, namely the relief of the taxpayers by the application in aid of the current subsidy of the penalties resulting from the first ordinance. Even during the running of the next subsidy, when a similar application of these penalties had been carefully regulated in parliament, the council steps in with a special provision for a certain town, or with the issue of special commissions to investigate the carrying-out of the scheme. It seems more than probable that it was the direct initiative of the council, in consultation with the treas-

¹ It is necessary always to remember that I have omitted the whole subject of ecclesiastical responsibilities for the administration of the statutes; *cf.* the last clause of the ordinance and quotations cited by Gasquet, *Great Pestilence*, 186.

urer and the barons of the exchequer, that twice afterwards in the course of the decade caused changes in the law as to the disposition of these same penalties; first, in the matter of the claims of the lords of franchises, and second, in the application of certain arrears of penalties. It was the council again, apparently at the instigation of the king, which issued special grants of the penalties to certain favored individuals. It is to be kept constantly in mind that the systematic control exercised by the exchequer over the work of the justices of labourers, was undoubtedly on many more occasions than have been noted, subject to the supervision and advice of the council through the connecting link of the treasurer who was a member of the council.

The form of the commissions issued to the justices of labourers and the limits of the geographical districts within which they were to act, seem to have been decided by the council; and while there are on record many petitions in parliament in the matter of the extension of the jurisdiction of the justices of labourers, notably in their relation to the preservation of the peace, and of the question of the consolidation of the two commissions, it appears that the council had really settled the matter previous to the parliamentary legislation on the subject. The appointment of the justices and their removal are chiefly in the hands of the council, subject undoubtedly to suggestions from local communities; the supervision of the proceedings of the justices is steadily exercised by the council, through the issue of supplementary instructions to them, or through the appointment of special commissions of investigation; on at least one occasion, even during the short period under consideration, there is an appeal to the council from the parties to a suit brought in the first instance before the justices of labourers. More rarely, the council, instead of acting

through the existing administrative machinery, carries out the provisions of the statutes directly; for example, it empowers two citizens of Norwich to compel labourers to serve in accordance with the compulsory service clause of the ordinance,¹ or it appoints a special commission to aid the bishop of Winchester in securing service from one of his villeins, also in accordance with a clause of the ordinance.² The more important functions of the council, however, are those to which reference has already been made, the initiation of legislation or of changes in the law without recourse to legislation, and the persistent control of the administrative machinery.

Since the distinctive feature of the statutes of labourers is that they represent the first thorough-going attempt to impress uniform economic standards on the country at large, and since the special machinery created to enforce these standards became a permanent part of the new centralized system of local justice that was cutting into the jurisdiction of the old local courts, it was inevitable that these statutes

¹ Pat., 26, pt. 1, m. 10 d, 16 April; "De operariis capiendis pro ciuitate Norwici pauienda et muris eiusdem ciuitatis dirruti reparandis;" *Cal.*, ix, 283-284. "Cum . . . intellexerimus quod predicti ciues circa pauiammentum et reparacionem predicta facienda et dictam ciuitatem mundandam seruitoribus et operariis multum indigent, et quod quamplures homines et mulieres fortes et ad laborandum potentes in eadem ciuitate vagantur ociosi et pro salario competenti operari recusant et quia in ordinacione. . . ."

There is, of course, the regular practice of the issue by the crown of writs empowering certain individuals to engage labourers for the royal works at the statutory rates of wages; *cf. e. g.*, Pat., 31, pt. 2, m. 11, 1 Aug.; "De operariis capiendis." There were sometimes difficulties in carrying out such instructions; *cf. Pat.*, 29, pt. 1, m. 27 d, 30 Jan.; "De quibusdam cementariis arestandis." This is a commission to Walter Albyn, serjeant-at-arms, and to the sheriff of Kent to arrest four labourers for certain "contemptibus et inobedienciis" and to imprison them in the Tower until further notice.

² *Cf. p.* 200.

should be mainly under the control of the council, the mainspring of the central government.¹ What the privy council of the Tudors² and of the Stuarts attempted to do in relation to the justices of the peace and the enforcement of the poor law,³ is what Edward's council, though of course less systematically, was attempting to do in relation to the justices of labourers and to the statutes which these justices were appointed to enforce.

¹ Mr. J. F. Baldwin has become the authority on the king's council for this early period; see his articles listed in my bibliography. His conception of the council as "a power working with great persistency in legislation and administration, which it would be no exaggeration to call the mainspring of the government" (article in *A. H. R.*, xi, 15), is fully borne out by the traces of its activity in relation to the labour legislation.

² Beard, *Justice of the Peace*, chs. 4 and 5.

³ Leonard, *Early Hist. of Eng. Poor Relief*, *passim*.

CONCLUSION

It is now time to try to answer the questions suggested in the introduction as to the legitimacy and effectiveness of the statutes of labourers. In regard to the ethics of the most familiar and obvious aspect of the legislation,—the endeavor to keep wages and prices at the rates prevailing before the plague,—authoritative statements will be warranted only after an exhaustive study of the available sources has resulted in statistics,¹ but the subject is so full of complexities that even with statistics a decisive opinion will not be easily formed.

The case against the government rests chiefly on two considerations. First; the statutory rates of wages are too low, recurring to standards already obsolete.² Second; the apparent fairness in the regulation of prices as well as of wages is misleading; the prices are for the most part of goods sold directly by the makers and therefore constitute really a labour wage, while the prices of victuals *etc.* not coming under this head, are to be "reasonable" instead of going back to an antiquated rate.³ The case for the government is in my opinion even stronger. The scattered instances noted in this monograph where a direct comparison between the old and new rates is possible reveal such an enormous increase in both wages and prices, the demands of both producers and labourers (whether combined in the same individuals or not) went so far beyond what consumers and employers could pay, the latter were also under such unusual pressure of taxation, that the situation was

¹ Pt. I, ch. ii, s. 6.

² *Ibid.*, p. 87, note 4.

³ Professor Benjamin Terry writing to me in April, 1907, made a forcible presentation of this argument.

plainly a crisis of an unprecedented character, involving real danger to the welfare of the community. In an age when the idea of a competitive price had not yet been evolved and when for normal conditions regulation by local authorities of both wages and prices was the accepted custom,¹ it was natural and equitable that in an emergency the central government should exert itself to the utmost to check the evil. The evidence of the records examined in this investigation goes to show that the attempt was honestly meant to include prices as well as wages whenever there had been a rise in the former also; under these circumstances it seems unreasonable to consider such an attempt as unfair oppression of the working classes. From the point of view of injustice, the inequity of the low statutory rates of wages was surpassed by the exorbitance of the demands of the labourers.

In turning to the problem of whether success or failure is to be attributed to the endeavor to lower wages and prices, it is clear that the preceding study warrants at least one positive conclusion. The large number of justices appointed within a short interval to enforce the laws, the existing records of their sessions, the references to similar records that have ceased to exist, the entries for the payment of their wages,—convincing proof of the regularity of their sessions,—the importance to various claimants of the penalties imposed by the justices,—chiefly, as has appeared, for the receipt of excess wages and prices,—the figures of the amounts of these penalties,—evidence of the large sums actually levied on the labouring classes,—all these facts point to the zealous administration of this portion of the enactments. To the work of the special justices in convicting labourers must be added the occasional efforts

¹ Page 4, note 3; pt. ii, ch. i.

of the old local courts, while the importance of the action of the upper courts in attempting to compel employers as well as employees to obey the law can not easily be overestimated.¹ In view of this cumulative evidence it is impossible to doubt that during this first decade the wages and price clauses were thoroughly enforced. The fact that rates remained high after the plague² by no means proves that the thorough enforcement had no effect; on the contrary, it may prove that, had it not been for the deterrent influence of the levying of penalties under the statutes, the rise would have been even greater. Although from the nature of the case there is no positive method of showing what would have happened to wages and prices had no such restrictions existed, my belief is that regulations as efficiently carried out as these were for a short period, at least, could not fail during that period to achieve their purpose to some extent, although not, of course, to the extent desired by their framers. That is to say, wages were not kept at the statutory level, but they were kept for ten years at a lower level than would have resulted from a régime of free competition.³

¹ It has been shown that the cases on the contract clause in the upper courts dealt indirectly with the wages clause; p. 178.

² Pages 4-5, note 1.

³ For a recent statement of this view, see Oman, *The Great Revolt*, 7: "The Black Death permanently raised the price of labour—despite of all statutes to the contrary—though its effects would have been much greater if they had not been checked by the legislation of Parliament."

The whole subject of economic restrictions is a matter of serious controversy among economists. On one side it is maintained that the usury laws tended on the whole to raise, not lower, the rate of interest: on the other it is urged that the regulation of cab fares actually reduces the price of cabs. It must, however, be confessed that the weight of economic opinion is against my view. Without here attempting an analysis of the conditions that go to determine the possibility of accomplishing a given end by such regulations, it will be universally admitted that thoroughness of administration is essential, and that in the instance under discussion this at least was secured.

To the question as to whether the statutes represent an influence in favor of or opposed to the system of villeinage, it is not easy to give a categorical answer. The endeavor to check the mobility even of the free labourer seems at first sight an extension of the whole theory of villeinage; but it is to be emphasized that this provision was merely aimed at preventing a given labourer from refusing the legal wages offered in his own district and from going to a place where he could obtain higher wages. Likewise, the compulsory service clause was not so much concerned with stopping the vagrancy of either free or bond, as with securing for the employer a sufficient supply of labour at the normal rate. The specification that a lord could keep only as many villeins as he actually needed is theoretically a direct interference with the relations between lord and villein and might conceivably have tended to put an end to the old system; but the conservative attitude taken by the upper courts on this question, as shown by their decision that a lord might re-capture his villein in spite of a statutory contract between the latter and another employer, necessitates considerable modification of the statement that "the Edwardian statutes struck a very heavy blow at the whole fabric of the manorial system."¹ It has, however, been suggested in the preceding pages that the provisions for the employment of vagrants were an indirect admission that the machinery of the manorial courts had become inadequate for the task of recovering fugitive villeins, and that the lords needed some other means of securing labourers, and that therefore a remedy was provided for them by the agency of the central government.² The fact that villeins

¹ Petrushevsky, quoted by Savine, in "Bondmen under the Tudors," in *Trans. Royal Hist. Soc.*, new series, xvii, 254.

² Pages 205-206.

were being tried and convicted by the justices of labourers exactly like free men, and that they were themselves bringing audacious suits in quarter sessions against their own masters; the fact that these masters evidently preferred to leave to the crown-appointed officials the brunt of the work of enforcing these measures against their tenants whether free or bond, while they themselves merely received the fiscal profits resulting from convictions; these facts, as well as many others, all point in the same direction. The cataclysm of the Black Death had hastened the break-down of the old system and had accelerated changes in economic and social relations throughout the community; the statutes of labourers must be regarded not as having created a new system or a new set of economic relations, but as affording proof that radical changes had occurred, ushering in a new era.

Finally, in defence of the theory that this legislation was on the whole equitable, emphasis must be laid on that aspect of the statutes which has been usually neglected, namely their relation to the existing law of parol contract. From a modern point of view the endeavor of the upper courts to enforce contracts is obviously justified and commands sympathy and approbation. Although to a certain extent this endeavor was successful, the number of actions on the contract clause against masters proves the truth of the statement that it was in the end the keen competition of employers that made it impossible permanently to check the rise in wages.¹

For this decade, then, the evidence is conclusive in favor of the belief that the statutes were enforced and tends to show that they were by no means inoperative, but for the course of events during the remainder of Edward's reign,

¹ Petrushevsky, reviewed by Savine in *E. H. R.*, xvii, 781.

except for the work of the upper courts, there is as yet very little definite information. The petitions in parliament indicate a possible falling-off in the energy with which the statutes were administered; certainly *à priori*, no officials would be as zealous as the justices of labourers, who had no other duties, and whose salaries depended directly on securing a goodly number of convictions; but all opinions are more or less of the nature of guess-work until the sources for the last part of the reign have been thoroughly examined. Only after such an examination will there be a possibility of understanding the precise relations of the statutes to the great revolt.¹

My main object has been to give an account of administrative methods, and to call attention to the manuscript sources; there has proved to be an almost inexhaustible wealth of material for statistics of wages and prices, and for detailed information as to the manner of life of the ordinary people. It is to be hoped that in the near future some one better fitted for the task than is the present writer will make use of this material for the purpose of giving a vivid picture of this daily life, in order that "the thoughts of our forefathers, their common thoughts about common things, will have become thinkable once more."²

¹ Langland is worth quoting:

"And thanne curseth he the kynge and al his conseil after,
Suche lawes to loke laboreres to greue."

Vision of Piers the Plowman, ed. Skeat, B. Passus vi, 318-319.

Valuable results might be obtained if an investigator were to take a given county, Essex, for example, and examine all the material having to do with the statutes for the whole period from 1349 to 1381.

² Maitland, *Domesday Book and Beyond*, 520.

APPENDIX

I. ACCOUNT OF SOURCES

II. DOCUMENTS, EXTRACTS FROM DOCUMENTS, LISTS
AND TABLES

I. ACCOUNT OF SOURCES

THE explanation of the inadequate treatment hitherto accorded the statutes of labourers lies in the scarcity of the printed sources. The contemporary writers, chroniclers and others (a convenient bibliography for the period is to be found in Tout's *Polit. Hist. of Eng.*, 1216-1377, app. 451-460) have long been available and have been freely used by later commentators. They are important as reflecting the attitude of certain sections of the community, much as do the daily papers of the present; but for the description of administrative methods, they by no means take the place of the official records on which the preceding study of the enforcement of the statutes has been based. These official records fall into three main classes, belonging to, first, the central government; second, the old local courts, communal, seignorial, and municipal; third, the church.

For the church, the important records for my purpose are the episcopal registers preserved in the diocesan registries. For an account of these, *cf.* Gross, *Sources of Eng. Hist.*, 402. For a list of those in print or calendared for this decade, *cf. ibid.*, *loc. cit.*; and Tout, *op. cit.*, app. 449-450.

With the necessary limitation of the length of my stay in England, I decided to omit altogether a study of the administration in the hands of the church, since the material for such a study is scattered throughout the country. Further, I have not attempted to deal thoroughly with the old local courts, since so small a proportion of their rolls are to be found in the Public Record Office. In the case of the central government, however, the sources, as far as they exist at all for the years 1349-1359, are preserved in the Record Office.

Almost the only important exceptions are the manuscript Year Books, which must be sought in other archives; *cf.* pt. ii, ch. ii, s. i of my text. It seemed wise, therefore, to concentrate my efforts on the endeavor to make as complete as possible an examination of these sources.

The various classes of records and their contents have been analyzed and described by competent authorities; for example, by Scargill-Bird in his invaluable *Guide to the Public Records*, by Gross, in the excellent summaries preceding the different sections of his *Sources of Eng. Hist.*, or in less technical form by Tout in the appendix to *Polit. Hist. of Eng.* Further, the publications of the old Record Commission and the calendars in the annual reports of the deputy keeper cover a wide field, while the present official series of calendars and of lists and indexes will eventually constitute a complete catalogue of the documents in the Record Office. In the meantime many manuscript lists available only on the spot are of great assistance to the investigator.

No general description of the material being needed, my plan in the following pages is to give brief summaries of the various classes of manuscript records important for my purpose, with references to any portions that are in print, and to note what proportion of each class has been included in my search; also to point out certain errors and inadequacies in the official calendars and lists and to call attention to a notable omission on the part of nearly all authorities of one whole class of records essential for my subject.

These summaries and critical comments will serve as introductions to the groups of documents and extracts from documents constituting the bulk of this appendix. Except in a very few instances, these documents have not been hitherto printed and have been selected from each important class of records, the greater number being taken from those classes that are least likely in the near future to be calendared or printed. To these texts have been added certain lists and tables based on the manuscript sources.

A word must be said in explanation of the method chosen for grouping the documents. The three great departments responsible for the enrollment and the custody of the records of the central government are chancery, the exchequer and the courts of law. For purposes of investigation it proved convenient to consider separately the chief enactments of parliament and council, to distinguish the judicial from the administrative side of chancery, and to regard the courts as being of two types, local courts under crown-appointed justices, and upper courts, including the king's bench, common pleas, chancery and the council. To these must be added a third type—the old local courts already mentioned, communal, seignorial and municipal—some of their rolls being also in the Public Record Office.

The resulting classification—A. Parliament and council; B. Chancery on the administrative side; C. Local courts under crown-appointed justices; D. Exchequer; E. Old local courts; F. Upper courts;—is roughly analogous (except for A.) to the main divisions of my administrative study. The correspondence is not exact, the chief difficulty being the part played by the council, which has to be treated under every department. There are also frequent cross-classifications; *e. g.*, pardons for outlawry mark one step in the judicial system and yet are necessarily recorded on the Patent Rolls. On the whole, however, it is believed that the groups of documents as arranged will serve to illustrate with some clearness the various phases of the administrative process, and it is hoped that they will be studied in connection with the corresponding sections of my text.

II. DOCUMENTS, EXTRACTS FROM DOCUMENTS, LISTS AND TABLES

A. PARLIAMENT AND COUNCIL

INTRODUCTORY NOTE

Parliamentary and other Petitions (Chancery and Exchequer).

These include almost all the extant petitions of the period to king, council, parliament, and chancellor in his executive capacity. Cf. Scargill-Bird, *op. cit.*, 284-285, and Maitland, *Records of the Parliament of 1305*, introduction, xxvi.

Index of Ancient Petitions of the Chancery and the Exchequer, Lists and Indexes, no. 1.

Merely a list of names of the petitioners, with no indication of the contents of the petitions; in many cases the latter are undated, and are, therefore, unintelligible. About a tenth are printed in *Rotuli Parliamentorum*.

Throughout my account of administrative methods it has been emphasized that traces of the activity of the council in relation to the statutes of labourers are everywhere apparent; this fact thus confirms the truth of Mr. Baldwin's theory that before the era of the keeping of formal council records, its doings can be followed by a study of the records of other branches of government. It seems probable, therefore, that an exhaustive examination of these petitions with a given subject in view, like the statutes of labourers, and in connection with other available

sources, would reveal the date and real significance of innumerable undated petitions, and would thus throw light on the working of mediæval machinery. My investigation has included so few out of the mass of about 16,000 petitions that the results are not important.

Royal and Historical Letters, collected from various classes of documents; *cf.* Scargill-Bird, *op. cit.*, 330-331.

List of Ancient Correspondence of the Chancery and Exchequer, Lists and Indexes, no. xv.

Undoubtedly some of these would also reveal council methods but have not been included in my search.

Parliament Rolls. (Chancery.)

Parliamentary and other Proceedings. (Chancery).

Parliamentary Proceedings. (Exchequer, K. R.)

Statute Rolls; imperfect, supplemented by the above.

Rotuli Parliamentorum.

These include parliament rolls from various sources, some of the material contained in the second of the two series of "Parliamentary Proceedings," and many petitions from "Parliamentary and other Petitions." *Cf.* Maitland, *Records of the Parliament of 1305*, introduction, xxvii, xxxii, lxii.

I have relied altogether on the printed *Rotuli*.

The Statutes of the Realm.

These include the Statute Rolls, some of the material contained in the second of the two series of "Parliamentary Proceedings," and a number of British Museum transcripts of documents of various kinds.

As illustrative of parliament and council action, the statutes and ordinances are, of course, the most important; in this case it has, therefore, seemed wise to depart from my plan of including in the appendix

only documents hitherto unprinted, and for convenience to give the text of the labour legislation of the decade. The statutes have been reprinted from the *Statutes of the Realm*, but have been collated with the originals on the Statute Roll. The first ordinance, also reprinted from the *Statutes*, has been collated with the Close Roll enrollment and has been grouped with the other enactments; but the second ordinance and the "Statutum de Forma, etc," which the editors of the *Statutes* took from British Museum transcripts, with some consequent errors, are now printed from exchequer enrollments and grouped with other exchequer documents.¹

1. *List of Parliaments 1349-1359.*²

1351.....25	Edw. III.....9 Feb.—1 March.
1352.....25-26	Edw. III....13 Jan.—11 Feb.
1353.....27	Edw. III.....23 Sept.—12 Oct.
1354.....28	"28 April—20 May.
1355.....29	"12 Nov.—30 Nov.
1356.....30	"No parliament.
1357.....31	"10 April—16 May.
1358.....32	"5 Feb.—27 Feb.
1359.....33	"No parliament.

2. *Enactments. Extracts from Close Rolls and Statute Rolls.*

Rotuli Literarum Clausarum, 23 Edw. III, pt. 1, m. 8 d.:³

De proclamacione facienda de seruientibus.

Rex vicecomiti Kanc', salutem. Quia magna pars populi et maxime operariorum et seruientum iam in ista pestilencia est

¹ App. D, 1 and 2.

² Parry, *Parliaments and Councils*, introduction, lvi.

³ *Statutes*, 23 Edw. III, cc. 1-7; Rymer, iii, pt. i, 198; the latter gives the erroneous date of 24 Edw. iii. A summary appears in *Cal. Close Rolls*, ix, 87-88; and it is enrolled in London Letter Book F; cf. *Cal.*, 192.

defuncta, nonnulli videntes¹ necessitatem dominorum et paucitatem seruientum seruire nolunt nisi salaria recipiant excessiua, et alii mendicare malentes in ocio quam per laborem querere victum suum; nos pensantes grauia que ex carencia presertim cultorum et operariorum huiusmodi peruenire possent incommoda, super hoc cum prelatis et nobilibus et peritis aliis nobis assistentibus deliberacionem habuimus et tractatum; de quorum vnanimi consilio duximus ordinandum:

Quod quilibet homo et femina regni nostri Anglie, cuiuscumque condicionis fuerit, libere vel seruilis, potens in corpore et infra etatem sexaginta annorum, non viuens de mercatura, nec certum excercens artificium, nec habens de suo proprio vnde viuere vel terram propriam circa culturam cuius se poterit occupare, et alteri non seruiens, si de seruiendo in seruicio congruo considerato statu suo fuerit requisitus, seruire teneatur illi qui ipsum sic duxerit requirendum; et percipiat dumtaxat vadia, liberaciones, mercedes, seu salaria, que in locis vbi seruire debeat consueta sunt prestari anno regni nostri Anglie vicesimo, vel annis communibus quinque vel sex proxime precedentibus. Prouiso quod domini preferantur aliis in natiuis seu terram suam tenentibus sic in seruicio suo retinendis. Ita tamen quod huiusmodi domini sic retineant tot quot sibi fuerint necessarii et non plures; et si talis vir vel mulier, sic de seruiendo requisitus vel requisita, hoc facere noluerit, hoc probato per duos fideles homines coram vicecomite, balliuo, domino, aut constabulario ville vbi hoc fieri contigerit, statim per eos vel eorum aliquem capiatur et mittatur proxime gaole, ibidem sub arta moretur custodia quousque securitatem inuenerit de seruiendo in forma predicta.

Et si messor, falcator aut alius operarius uel seruiens, cuiuscumque status fuerit seu condicionis, in seruicio alicuius retentus, ante finem termini concordati, a dicto seruicio sine causa rationabili vel licencia recesserit, penam imprisonment subeat, et nullus sub eadem pena talem in seruicio suo recipere vel retinere presumat.

¹ MS. videntes.

Nullus eciam vadia, liberationes, mercedes seu salaria maiora solito, sicut predictum est, alicui soluat vel soluere promittat; nec aliquis ea alio modo exigat vel recipiat, sub pena dupli illius quod sic solutum, promissum fuerit, aut exactum vel receptum, illi qui ex hoc se senserit grauatum; et nullo tali volenti prosequi, tunc cuicumque de populo qui hoc prosecutus fuerit applicandum; et fiat huiusmodi prosecutio in curia domini loci quo talis casus acciderit; et si domini villarum vel maneriorum contra presentem ordinacionem nostram, per se vel ministros suos, in aliquo venire presumpserint, tunc in comitatibus, wapentachiis et trithingis, vel aliis curiis nostris huiusmodi, ad penam tripli per eos vel ministros suos sic soluti vel promissi, in forma predicta fiat prosecutio contra eos; et si forsitan aliquis ante presentem ordinacionem cum aliquo de sic seruiendo pro maiori salario conuenerit, ipse ratione dicte conuencionis ad soluendum vltra id quod alias tali consuetum est soluere minime teneatur; immo soluere plus sub pena predicta non presumat.

Item, sellarii, pelletarii, allutarii, sutores, cissores, fabri, carpentarii, cementarii, tegularii, batellarii, carectarii, et quicumque alii artifices et operarii, non capiant pro labore et artificio suo vltra id quod dicto anno vicesimo et aliis communibus annis precedentibus vt premittitur, in locis quibus eos operari contigerit talibus solui consueuit; et si quis plus receperit gaole proxime modo quo premittitur committatur.

Item quod carnifices, piscenarii, hostellarii, braciatores, pistores, pullettarii, et omnes alii venditores victualium quorumcumque, teneantur huiusmodi victualia vendere pro precio rationabili, habita consideracione ad precium quo huiusmodi victualia in locis propinquis venduntur: ita quod habeant huiusmodi venditores moderatum lucrum, non excessiuum, prout distancia locorum a quibus victualia huiusmodi cariantur duxerit rationabiliter requirendum; et si quis victualia huiusmodi alio modo vendiderit, et inde in forma predicta conuictus fuerit, soluat duplum illius quod receperit dampnificato, vel in defectu illius alteri qui prosequi voluerit in hac parte; et habeant po-

testatem maior et balliui ciuitatum et burgorum, villarum mercatoriarum et aliarum, ac portuum et locorum maritimorum ad inquirendum de omnibus et singulis qui contra hoc in aliquo deliquerint et ad penam predictam ad opus illorum, ad quorum sectam huiusmodi delinquentes conuicti fuerint, leuandum; et in casu quo iidem maior et balliui execucionem premissorum facere neclexerint, et de hoc coram iusticiariis per nos assignandis conuicti fuerint, tunc iidem maior et balliui ad triplum rei sic vendite huiusmodi dampnificato, vel alteri in defectu illius prosequenti, soluendum per eosdem iusticiarios compellantur, et nichilominus versus nos grauiter puniantur.

Et quia multi validi mendicantes, quamdiu possent ex mendicatis elemosinis viuere, laborare renunt, vacando ociis et peccatis, et quandoque latrociniis et aliis flagiciis, nullus sub pena imprisonmenti predicta, talibus qui commodè laborare poterunt, sub colore pietatis vel elemosine quicquam dare seu eos in sua desidia confouere presumat, vt sic compellantur pro vite necessario laborare.

Tibi precipimus firmiter iniungentes quod premissa omnia et singula in civitatibus, burgis et villis mercatoriis, portubus maris et aliis locis in balliua tua vbi expedire videris, tam infra libertates quam extra, publice proclamari et teneri, et execucionem debitam inde fieri facias, sicut predictum est; et hoc sicut nos et communem vtilitatem regni nostri diligis et te ipse indempnem seruare volueris nullatenus omittas.

Teste Rege apud Westmonasterium, xviii die Iunii per ipsum Regem et totum consilium.

Consimilia breuia diriguntur singulis vicecomitibus per Angliam.

Rex venerabili in Christo patri W. eadem gracia episcopo Wyntoniensi, salutem. Quia magna pars populi etc. vt supra, usque pro vite necessario laborare, et tunc sic: et ideo vos rogamus quod premissa in singulis ecclesiis et locis aliis vestre diocesis quibus expedire videritis, publicari faciatis; mandantes rectoribus, vicariis ecclesiarum huiusmodi, ministris et aliis sub-

ditis vestris, vt parochianos suos ad laborandum et ad tenendum ordinationes predictas, sicut instans necessitas exigit, salutaribus monitis sollicitent et inducant: Vos eciam capellanos stipendiarios dicte vestre diocesis, qui similiter iam sine excessu nolunt, vt dicitur, seruire salario, compescatis; et ad seruiendum pro consueto salario prout expedit, sub pena suspensionis et interdicte compellatis. Et hoc sicut nos et communem vtilitatem dicti regni nostri diligitis, nullatenus omittatis.

Teste ut supra.

per ipsum Regem et totum consilium.

Consimile litere rogatiue diriguntur singulis episcopis Anglie ac custodi spiritualitatis archiepiscopus Cantuariensis, sede vacante, sub eadem data.

Ex magno Rotulo Statutorum . . . m. 18.

Statuta in parlamento tento apud Westmonasterium in octabis

Purificacionis beate Marie virginis anno regni domini Edwardi Regis Anglie . . . vicesimo quinto . . .¹

Come nadgairs contra la malice de seruantz, queux furent precieuses et nient voillantz seruir apres la pestilence, sanz trop outrageouses lowers prendre, feut ordene par nostre seigneur le Roi et par assent des prelatz, nobles et autres de son conseil, que tieux maners des seruantz, sibien hommes come femmes, fussent tenuz de seruir, receyuantz salaries et gages accustumez es lieux ou ils deueront seruir, lan du regne le dit nostre seigneur le Roi vintisme, ou cink ou sis annz deuant, et que mesmes les seruantz refusantz seruir par autiele manere fuissent punys par emprisonement de lour corps, sicome en mesme lordenance est contenuz plus au playn; Sur qoi commissions furent faites as diuerses gentz en chescun counte denquere et punir touz ceaux que venissent au contraire; Et ia par tant que done est entendre a nostre dit seigneur le Roi en cest present parlement, par la petition de la commune, que les ditz seruantz nient eiantz regard a la dite ordenance, mes a

¹ *Statutes*, 25 Edw. III, st. 2, cc. 1-7; *Rot. Parl.*, ii, 233b-235a; enrolled in London Letter Book F; *cf. Cal.*, 232.

lour eses et singulers couetises, se retreent de seruir as grantz ou as autres sils neyent liueresons et lowers au duble ou treble de ceo quilz soloient prendre le dit an vintisme et deuant, a grant damage des grantz, et empouericement des touz ceux de la dite commune, dont il estoit prie par mesme la commune de remedie; par quoi en mesme le parlement, par assent des prelatz, countes, barons, et autres grantz, et de la dite commune illoques assemblez, pur refreyndre la malice des ditz seruantz sont ordenes et estables les choses suzscriptz. Cest assauoir :

Que chescun charetter, caruer, chaceour des carues, bercher, porcher, deye, et touz autres seruantz, preignent liueresons et lowers accustumes le dit an vintisme et quatre annz deuant; issint qen pays ou furment soleit estre done preignent pur le bussel x d. ou furment a la volunte le donur, tanques autrement soit ordeigne; et qils soient allowes de seruir par lan entier ou autres termes vsuels, et nemye par iournes, et que nul preigne en temps de sarcler ou feyns faire forsques i d. le iour; et fauchours des preez pur lacre v d. ou par la iourne v d., et sciours des blees en la primere symaigne daust ii d. et en la seconde iii d. et issint tanques au fyn Daust, et meyns en pays ou meyns soleit estre done, saunz mangier ou autre curtoysie demander, doner ou prendre; et que tieux ouerours portent ouertement en lour meyns as villes marchantz lour instrumentz, et illoques soient alowes en lieu commune et nemye priue.

Item que nul preigne pur le batre de vn quarter de furment ou segle, outre ii d. ob., et pur le quarter dorge, feues, poys, et aueynes i d. ob. si tant soleit estre done; et en pays ou homme soleit scier pur certeyns garbes et batre pur certeyns busseux, ne preigne plus nen autre manere qil soleit le dit an vintisme et deuant; et que mesmes les seruantz soient sermentez deux foitz par an deuant seignurs, seneschals, baillifs et conestables de chescune ville, a ceste chose tenir et faire, et que nul de eux irra hors de la ville ou il demoert en yuer, pur seruir en estee, sil puisse auoir seruice en mesme la ville, pernant come deuant est dit; sauue que les gentz des countez de Staf-

ford, Lancastre et Derby, et gentz de Crauen et de la marche de Gales et Descoce, et autres lieux puissent venir en temps Daust, de laborer en autres countes, et saluement retourner come ils soloient faire auant ses heures; et que ceux que refusent de faire tiel serement ou perfourner ceo qils ount iures, ou empris, soient mys en ceppes par les ditz seignurs, sene-schaux, baillifs et conestables des villes, par trois iours ou pluis, ou mandez a la procheyn gaole, a demorer illoeques tanques ils se voillent iusticer; et que ceppes soient faitz en chescune ville par celle encheson enter cy et la Pentecost.

Item que carpenters, masons, teglers, et autres couerours des mesons, ne preignent le iour pur lour ouereygne forsque en manere come ils soleient, cest assauoir, mestre carpenter iii d. et autre ii d.; mestre meson de franche peer iiii d. et autre mason iii d. et lour seruantz i d. ob.; teguler iii d. et son garceon i d. ob. et couerour de ros et estreyrn iii d. et son garceon i d. ob.

Item plastrers et autres ouerours des mures darzill et lour garceons par mesme la manere, saunz mangier ou boire, cest assauoir, de la Pasche tanques a la Seynt Michel; et de cel temps meyns solonc lafferant et discrecion des iustices qi seront a ce assignez; et que ceux qui fount cariage, par terre ou par ewe, ne preignent pluis pur tiel cariage faire, qils ne soloient le dit an vintisme et quatre annz devant.

Item que coiuousers ne suours ne vendent botes, soulers, nautre chose touchant lour mister par autre manere qils ne soleint le dit an vintisme: et que orfeures, sellers, ferrouers des chiuiaux, esporoners, tannours, correours, pelleters, taillours, et touz autres ouerours, artificiers, et laborers, et touz autres seruantz nient especifiez, soient sermentez deuant les dites iustices de faire et vser leur artes et offices en manere come ils fesoient le dit an vintisme et en temps deuant, sanz les refuser par cause de ceste ordinance; et si nul des ditz seruantz, laborers, ouerours, ou artificers apres tiel serment fait viegne encontre celle ordinance, soit puny par fin, ranceon, et emprisonement, selonc la discrecion des dites iustices.

Item que les ditz seneschalx, baillifs et conestables des dites villes, soient sermentez deuant meismes les iustices denquere diligence, par totes les bones voies quilz purront, de touz ceux q̄ vendront contre ceste ordinance, et de certifier meismes les iustices de leurs nouns, a totes les foitz quilz vendront en pays pur faire leur sessions; issint que les dites iustices ewe certificacion de meismes les seneschalx, baillifs et conestables, des nouns de rebeaux, les facent attacher par leur corps, destre deuant meismes les iustices a respondre des tielx contemptz, issint quilz facent fyn et ranceon au Roi en cas quilz soient atteintz, et outre soient commandez a la prisone, a y demurer tanqils aueront troue seurete de seruir et prendre, et leur ouerignes faire, et choses vendables vendre, en la manere auant-dite; et en cas que nul de eux viegne contre son serement, et de ce soit atteint, eit la prisone de xl iours, et si autrefoitz il soit conuict eit la prisone dun quarter del an, issint que a chescun foitz qil trespas, et soit conuict, eit la penance au double: et que meismes les iustices enquerent a chescune foitz quilz vendront, des ditz seneschalx, baillifs et conestables sils eient fait bone et loiale certificacion ou nule concele, par doun, procurement, ou affinite, et les punir par fyn et ranceon sils soient trouez coupables: et que meismes les iustices eient poair denquere et faire due punissement des ditz ministres, ouerours, laborers, et autres seruantz queconques, et auxint des hostelers, herbergers, et ceux q̄ vendont vitailles en retaille, et autres choses nient especifiez, si bien a la suite de partie, come par presentment, et doier et terminer et mettre la chose en execucion par Exigend apres le primer Capias, si mestier soit, et de deputer autres soutz eux, tantz et tielx come ils verront que mieltz soit, pur la garde de meisme ceste ordinance; et que ceux q̄ vorront suir, vers tielx seruantz, ouerours, et laborers, pur excesse pris deux et ils soient de ce atteintz a leur suite, quilz puissent reauoir cel excesse; et en cas que nul voudra suir pur tiel excesse reauoir, adonques soit leue des ditz seruantz, ouerours, laborers et artificers et liuere as coillours de la quinzisme, en alleggeance des villes ou tiel excesse fut pris.

Item que viscontes, conestables, baillifs, gaolers, et clerks des iustices ou des viscontes, nautres ministres queconques, rienz ne preignent par cause de lour offices, de meismes les seruantz, pur fees, suete de prisone, nen autre manere; et sils eient rienz pris en tiele manere, qils les facent deliuerer as coillours des disme et quinzisme, en eide de la commune pur temps qe les disme et quinzisme courgent, auxibien pur tout le temps passe come pur le temps auenir; et que les dites iustices enquergerent en lour sessions si les ditz ministres eient rienz receuz de meismes les seruantz et ce quils troueront par tiels enquestes que les ditz ministres aueront receuz, facent meismes les iustices leuer de chescun des ditz ministres et liuerer as ditz coillours ensemblement od lexcesses, fins et ranceons faitz, et auxint les amerciementz de toux ceux qi serront amerciez deuant les ditz iustices, en allegeance des villes come desus est dit; et en cas que lexcesse troue en vne ville passe la quantite de la quinzisme de meisme la ville, soit le remenant de tiel excesse leue, et paie par les ditz coillours a les plus proscheines villes poures, en eide de lour quinzisme, par auisement des ditz iustices; et que les fins, raunceons, excesses et amerciementz des ditz seruantz et laborers pur temps auenir, currente la dite quinzisme, soient liueriez as ditz coillours en la forme susdite, par endenture affaire entre eux et les ditz iustices, issint que meismes les coillours puissent estre chargez sur lour accompt par meismes les endentures, en cas que les ditz fins, raunceons, amerciementz et excesses, ne soient paieez en eide de la quinzisme auantdite, et cessante meisme la quinzisme, soit leue al oeps le Roi et respondu a lui par le viscont du countee.

Item que les ditz iustices facent lour sessions en touz les countes Dengleterre au meins quatre foitz par an, cest assauoir, a les festes del Annunciacion de nostre Dame, Seinte Margarete, Seint Michel, et Seint Nicholas, et auxint totes les foitz qil busoignera selonc la descrecion des iustices; et que ceux qi parlent en presence des dites iustices, ou autres choses facent en lour absence ou presence, en abauidissement ou meintenance des ditz seruantz et laborers, au contraire de cest ordi-

nance, soient greument punys selonc la discrecion des dites iustices: et si nul des ditz laborers, artificers ou seruantz senfue dun countee tanques en autre, par cause de ceste ordinance, que les viscontes des countes ou tiels futiues serront trouez les facent prendre, au mandement des iustices des countes dont ils senfuèrent, et le mesnent a la chief gaole de meisme cel counte, illoeques a demurer tanques a la proscheine session des meismes les iustices, et que les ditz viscontz retournent tielx mandementz deuant meismes les iustices a lour proscheines sessions, et que ceste ordinance soit tenue et garde, sibien deinz la citee de Londres come en autres citees et burghs et aillours parmy la terre, sibien deinz franchise come dehors.

Ex magno Rotulo Statutorum . . . m. 15.

Statutum contra adnullatores iudiciorum curie Regis factum anno XXVII^o.¹

Ensement pur les grantz et outraieouses chiertees des vitailles, que les hostellers des herbergeries et autres regraters de vitailles fount par tout le roialme, a grant damage du poeple qi passe parmy le roialme, accorde est et establi, que iustices sachantz de lei, qi soient bones et couenables soient de nouel eslutz denquere des faitx et des outrages de tieux hostellers, regraters, laborers, et touz autres compris en lestatut autrefoitz ent fait; et de les punir, et outre faire droit au Roi et au poeple: Sauuant totesfoitz a chescun seigneur et autres leur franchises en toutz pointz.

Ex magno Rotulo Statutorum . . . m. 14.

Statutum de anno vicesimo octauo Regis Edwardi tercii.²

Item, acorde est et establi, que feer fait en Engleterre, et feer mesne en Engleterre et illoeques vendu, ne soit mesne hors du roialme Dengleterre sur peine de forfaire le double deuers le Roi:

¹ *Statutes*, 27 Edw. III, st. 1, c. 3.

² *Ibid.*, 28 Edw. III, c. 5.

Et eient les iustices assignez denquere de laborers, et autres iustices queux le Roi vodra a ce assigner, poer denquere de ceux qui vendent le feer a trop cher pris et de les punir solonc la quantite de trespas.

Ex magno Rotulo Statutorum . . . m. 13.

Statutum editum apud Westmonasterium die Lune proximo post septimanam Pasche anno XXXI^o.¹

Item, coment que par estatut nadgairs fait fuist ordine, que les issues, fins et amercimentz des seruantz, artificers et autres ouerours, aiuggez deuant iustices des laborers, serroient au Roi apres les trois anns de la quinzisme triennale, adonques grante au Roi par la commune de son roialme; acorde est et assentu, que les seignurs des fraunchises, qi ont fins, issues et amerciementz par point de chartre ou en autre manere, eient desore enauant les dites fins, issues, et amerciementz des laborers, que a eux appartiegnent de droit, tant come la iusticerie des laborers dure: Issint totes voies que les ditz seignurs facent contribucion a paiement des feez de tieux iustices des laborers, selonc lafferant des profitz qils enprendront.

Item, acorde est que lestatut des laborers soit aussibien tenuz en la citee et les suburbs de Loundres et en les cynk portz et autres franchises qeconques come aillours en Engleterre.

¹ *Statutes*, 31 Edw. III, st. 1, cc. 6-7.

B. CHANCERY (Administrative side; cf. pt. I, ch. I.)

INTRODUCTORY NOTE

Close Rolls.

Calendar; v. ix, 1349-1354.

Rymer's *Foedera* contain a number of letters close.

Patent Rolls.

Calendars; v. viii, 1348-1350; v. ix, 1350-1354.

Calendarium Rotulorum Patentium.

Selections only; of no importance in comparison with the new series of calendars.

Rymer's *Foedera* contain a number of letters patent.

Calendar of Letter Books of the City of London, A-G.

Contains enrollments of letters close and patent.

(Cf. also *Munimenta Gildhallae* and *Memorials of London*.)

Fine Rolls and Liberate Rolls have neither of them been examined; see Scargill-Bird, *op. cit.*, 37 and 42.

Originalia Rolls.

Exchequer duplicates of enrollments on the Close, Patent and Fine Rolls having to do with income due the exchequer; classed here for convenience.

Rotulorum Originalium Abbreviatio.

Chancery Lists.

Chancery Files, Tower series.

Writs, original and judicial, Letters Patent, original and uncanceled.

Warrants for the Great Seal; series i; Writs of Privy Seal, Bills of Privy Seal, Warrants under the Signet.

Miscellaneous Rolls, etc. Tower.

Cf. Scargill-Bird, *op. cit.*, 241-248.

The Palatinates.

Chester.

Recognizance Rolls.

Alphabetical calendar; R. D. K., xxxvi, app. 2.

Durham.

Cursitors' Records.

Alphabetical calendar; R. D. K., xxxi, app., 112 et seq.
Lancaster.

Chancery Rolls, Duchy of Lancaster.

No. i; 4 Henry, Duke of Lancaster.

No. ii; 4-11 Henry, Duke of Lancaster.

Calendar; R. D. K., xxxii, app. i, 331 et seq.

List of the Records of the Duchy of Lancaster, Lists and Indexes, no. xiv.

In the case of the palatinate material and of the Close, Patent and Originalia rolls, my search has been exhaustive; but in the case of the Chancery Lists I have examined only the groups under Warrants for the Great Seal.

It will appear that the bulk of the information on the topics included in pt. i, ch. i, is obtained from the various series of records just described, although some supplementary sources are also necessary. It is also clear that while there are some enrollments having to do with exchequer or judicial processes, the greater number of the entries as to the statutes of labourers in any of these chancery records deal with the subjects of ch. i, namely, the form of the commissions, the lists of justices appointed, exemptions, exonerations, removals, etc.

When I began my work in London in the spring of 1905, the calendars of the Close and Patent Rolls for the years 1349-1359 had not yet been published; although through the courtesy of Mr. Scargill-Bird I had the opportunity of seeing the proof-sheets of v. viii of the *Calendar of Patent Rolls*. The two volumes issued since then cover about half of the decade, but as the printed calendars contain some rather serious errors in regard to my subject, it is not to be regretted

that I was forced to examine the rolls in manuscript. It seems advisable merely to point out these errors, and to print comparatively few of the enrollments, and instead, to supply from these sources certain lists, which it is believed will aid in a clear understanding of the course of events, lists which would still have to be compiled even were the series of calendars complete and entirely free from mistakes.

1. Extracts from Chancery enrollments, chiefly Patent Rolls, and corresponding documents for the palatinates.
2. Chronological list of commissions to enforce the statutes of labourers issued during the years 1349-1359.
3. List of the 671 justices responsible for the enforcement of the statutes during the decade.
4. List of territorial districts for which separate commissions for labourers were issued between 1352 and 1359.

1. *Extracts from Chancery enrollments, chiefly Patent Rolls, and corresponding documents for the palatinates.*

Rotuli Literarum Patencium, 25 Edw. III, pt. 1, m. 15 d.;¹
De pace conseruanda.

Rex dilectis et fidelibus suis, Willelmo de Clynton, comiti Huntyngdon', Iohanni de Cobham, Ricardo de Wylughby, Ottoni de Grandissono, Henrico Grene, Willelmo de Notton, Iohanni Bray et Roberto Vyneter, salutem. Sciatis quod assignauimus vos, septem, sex, quinque, quatuor, tres et duos vestrum ad pacem nostram necnon ad statuta apud Wyntoniam et Norhamptoniam pro conseruacione pacis eiusdem edita in omnibus et singulis suis articulis in comitatu Kancie custodienda et custodiri facienda, et ad omnes illos quos contra formam statutorum predictorum delinquentes inueneritis castigandos et puniendos prout secundum formam statutorum eorundem fuerit faciendum, et ad ordinandum, superuidendum

¹ *Cal.*, ix, 85, *et seq.*

et faciendum quod omnes et singuli homines in comitatu predicto infra libertates et extra iuxta eorum status et facultates armis competentibus muniantur, arraiantur et parentur, et de incedendo et auxiliando vobis et cuilibet vestrum in hiis que pacis et statutorum predictorum conseruacionem concernunt, sint compulsi, prout melius fore videbitur expedire. Assignauimus eciam vos, septem, sex, quinque, quatuor, tres et duos vestrum iusticiarios nostros ad inquirendum per sacramentum proborum et legalium hominum de comitatu predicto tam infra libertates quam extra per quos rei veritas melius sciri poterit, qui vagabundi et alii aggregata sibi ingenti multitudine malefactorum et pacis nostre perturbatorum alligaciones, confederaciones et conuenticula illicita tam infra libertates quam extra de die et nocte facientes in comitatu predicto vagantur et discurrunt, passus in boscis et aliis locis publicis et priuatis obseruantes et hominibus per partes illas transeuntibus insidiantes et quosdam de bonis et rebus suis depredantes, et ad ferias, mercata et alia loca vi armata accedentes homines verberantes, vulnerantes et male tractantes, et quosdam membris mutilantes, et quosdam nequiter interficientes, et quosdam capientes et penes se quousque fines et redempciones cum eis ad voluntatem suam fecerint, detinentes, et alia felonias, transgressiones et maleficia in comitatu predicto perpetrantes, et qui dictos malefactores postmodum scienter receptarunt, seu manutenuerunt, seu ipsis assensum, consensum, vim aut auxilium ad hoc prebuerunt, et qualiter et quo modo et de omnibus aliis articulis et circumstanciis premissa qualitercumque contingentibus plenius veritatem, et omnes illos quos inde indictari contigerit insequendos, arestandos et capiendos et in prisonis nostris saluo custodiri faciendos donec inde deliberentur secundum legem et consuetudinem regni nostri Anglie, ac eciam ad ordinaciones de operatoribus, artificibus et seruatoribus per nos et consilium nostrum pro communi vtilitate ipsius regni, tam in consilio nostro quam in vltimo parlamento nostro apud Westmonasterium tentis, factas quas vobis mittimus sub pede sigilli nostri, in omnibus et singulis suis articulis in comitatu predicto infra

libertates et extra custodiendas et custodiri faciendas, et omnes illos quos contra formam earundem inueneritis in aliquo delinquentes, castigandos et puniendos prout secundum formam earundem fuerit faciendum, et ad ordinandum, superuidendum et faciendum quod omnes et singuli articuli in dictis ordinationibus contenti in comitatu predicto infra libertates et extra debite execucionis demandentur, et ad inquirendum de vicecomitibus, senescallis, balliuis, ministris et aliis quibuscumque qui colore ordinationum predictarum huiusmodi operarios, artifices et seruitores ceperunt et eos per fines et redempciones ad vsus suos proprios applicandos auctoritate sua propria, condicionibus in dictis ordinationibus contentis non obseruatis, deliberarunt, et de taxatoribus et collectoribus decime et quinte decime nobis per laicos concessarum in comitatu predicto et eorum subtaxatoribus et subcollectoribus villarum infra libertates et extra et deputandis ab eis in comitatu predicto, si ipsi omnes artifices, seruitores et operarios singularum villarum earundem ad totas illas summas quas vltra id quod anno regni nostri Anglie vicesimo vel annis communibus quinque vel sex proxime precedentibus pro laboribus, seruiciis et artificiis suis perceperunt in alleuiacionem villarum earundem in auxilium solucionis summarum ad quas eedem ville seu homines earundem ad decimam et quintamdecimam iam currentes assessi fuerunt, assederint et summas illas ab eis leuauerint iuxta tenorem commissionis nostre eisdem taxatoribus et collectoribus inde facte nec ne, ac eciam de hiis qui huiusmodi artifices, seruitores et operarios pro laboribus, seruiciis et artificiis suis vel pro alio suo dando contra dictas ordinationes vel aliquo in eisdem contento arte vel ingenio fouerunt vel nutrierunt, fouent vel nutriunt, in hac parte et ad ea omnia et singula que contra formam ordinationum predictarum fuerint attemptata, tam ad sectam nostram et aliorum quorumcumque coram vobis conueniri vel prosequi volencium, quam ad transgressionem predictas ad sectam nostram, tantum audiendas et terminandas secundum legem et consuetudinem regni nostri Anglie ac formam ordinationum predictarum, et ad processum versus omnes

quos de homicidiis et feloniiis huiusmodi contigerit indictari in hac parte quousque capiantur, reddantur vel vtlagentur faciendos. Assignauimus eciam vos, septem, sex, quinque, quatuor, tres et duos vestrum, quorum aliquem vestrum vos prefati Ricarde, Henrice et Willelme de Notton vnum esse volumus iusticiarios nostros ad homicidia et felonias predicta audienda et terminanda et ad omnia indictamenta feloniam tangencia coram vobis prefate comes et socii vestris nuper iusticiariis nostris in hac parte vltimo assignatis facta, ad vos, septem, sex, quinque, quatuor, tres et duos vestrum iusticiarios nostros ad omnia alia indictamenta coram vobis prefate comes et dictis sociis vestris facta feloniam non tangencia ac recorda et processus in hac parte nondum terminata debito fine terminanda secundum legem et consuetudinem supradictas. Et ideo vobis mandamus quod ad certos dies et loca quos vos septem, sex, quinque, quatuor, tres vel duo vestrum ad hoc prouideritis, indictamenta ac recorda et processus predicta coram vobis venire et inquisitiones super premissis ac processus et puniciones huiusmodi faciatis et premissa omnia et singula audiat et terminetis in forma predicta facturi etc. saluis etc. Mandauimus enim vicecomiti nostro comitatus predicti quod ad certos etc. quos etc. ei scire faciatis venire faciat coram vobis etc. tot etc. tam infra libertates quam extra per quos etc., et inquiri in forma supradicta.

In cuius etc., teste Rege apud Westmonasterium, xv die Marcii.

Per consilium.

Consimiles commissiones habent subscripti in comitatibus subscriptis sub eadem data, videlicet:

Rotuli Literarum Patencium, 30 Edw. III, pt. 1, m. 17 d.; De inquirendo de operariis, artificibus et seruientibus in comitatu Derby.

Rex dilectis et fidelibus suis, Roberto Fraunceys et Thome Adam de Asshebourn, salutem. Sciatis quod assignauimus vos ad ordinacionem et statutum de operariis, artificibus et seru-

ientibus in consilio nostro ac parlamento nostro apud Westmonasterium nuper tentis pro communi vtilitate regni nostri Anglie facta in omnibus et singulis suis articulis in comitatu Derb' infra libertates et extra custodienda et custodiri facienda, et ad inquirendum de vicecomitibus, senescallis, balliuis, ministris et aliis quibuscumque qui colore ordinacionis et statuti predictorum huiusmodi operarios, artifices, et seruientes ceperunt et eos per fines et redempciones ad vsus suos proprios applicandos, auctoritate sua propria, condicionibus in dictis ordinacione et statuto contentis non obseruatis, deliberarunt, et ad omnia et singula que contra formam statuti et ordinacionis predictorum in comitatu predicto infra libertates et extra fuerint attemptata, tam ad sectam nostram quam aliorum quorumcumque, coram vobis prosequi vel conqueri volencium audienda et terminanda iuxta vim et effectum ordinacionis et statuti predictorum. Assignauimus eciam vos iusticiarios nostros ad omnia indictamenta et processus huiusmodi operarios, artifices et seruientes tangencia coram iusticiariis nostris in eodem comitatu vltimo assignatis in hac parte facta et nondum terminata audienda et debito fine terminanda. Et ideo vobis mandamus quod circa premissa omnia et singula ad certos dies et loca quos vos ad hoc prouideritis intendatis et ea audiatis et terminetis in forma predicta facturi inde quod ad iusticiam pertinet, secundum vim et effectum ordinacionis et statuti predictorum, saluis nobis amerciamentis et aliis ad nos inde spectantibus. Mandauimus enim vicecomiti nostro comitatus predicti quod ad certos etc. quos ei scire faciatis venire faciat coram vobis tot etc. tam infra libertates quam extra per quos etc. et inquire.

In cuius etc., teste Rege apud Westmonasterium, x die Marcii.

Per consilium.

Consimiles commissiones habent subscripti in comitatibus et villis subscriptis, videlicet:

Rotuli Literarum Patencium, 31 Edw. III, pt. 1, m. 20 d.; De inquirendo de excessibus operariorum et de abusu mensurarum et ponderum.

Rex dilectis et fidelibus suis Ricardo, comiti Arundell, An-

dree Peverell, Willelmo Fifhide et Roberto de Halsham, salutem. Sciatis quod assignauimus vos tres et duos vestrum iusticiarios nostros ad ordinationes et statuta de operariis, artificibus et seruientibus in consiliis, ac de ponderibus et mensuris in parliamentis nostris apud Westmonasterium nuper tentis pro communi vtilitate regni nostri Anglie facta in omnibus et singulis suis articulis in comitatu Sussex' infra libertates et extra custodienda et custodiri facienda, et ad inquirendum de vicecomitibus, senescallis, balliuis, ministris et aliis quibuscumque, qui colore ordinationum et statutorum predictorum huiusmodi operarios, artifices et seruientes ceperunt, et eos per fines et redempciones ad vsus suos proprios applicandos auctoritate sua propria, condicionibus in dictis ordinationibus et statutis contentis non obseruatis, deliberarunt, et ad omnia et singula que contra formam statutorum et ordinationum predictarum in comitatu predicto infra libertates et extra fuerint attemptata, tam ad sectam nostram quam aliorum quorumcumque coram vobis prosequi vel conqueri volencium audienda et terminanda iuxta vim et effectum ordinationum et statutorum predictorum. Assignauimus eciam vos tres et duos vestrum iusticiarios nostros ad omnia indictamenta et processus huiusmodi operarios, artifices et seruientes tangencia coram iusticiariis nostris in eodem comitatu vltimo assignatis in hac parte facta et nondum terminata audienda et debito fine terminanda, necnon ad inquirendum per sacramentum proborum et legalium hominum de comitatu predicto infra libertates et extra per quos rei veritas melius sciri poterit de nominibus omnium et singulorum qui in abusu mensurarum et ponderum contra formam statutorum inde editorum deliquerint, et ad dictos delinquentes castigandos et puniendos iuxta formam statutorum eorundem, et ad omnia et singula que contra formam dictorum statutorum de premissis attemptata fuerint in eodem comitatu similiter audienda et terminanda. Et ideo vobis mandamus quod circa premissa omnia et singula ad certos dies et loca quos vos tres et duo vestrum ad hoc prouideritis intendatis et ea audiatis et terminetis in forma predicta facturi inde quod ad iusticiam

pertinet secundum vim et effectum ordinacionum et statutorum predictorum, saluis etc. Mandauimus enim vicecomiti nostro comitatus predicti quod ad certos etc. quos etc. ei scire faciatis venire faciat coram vobis etc. tot etc. tam infra libertates quam extra per quos etc. et inquiri, et quascumque commissiones de inquirendo de huiusmodi operariis, artificibus et seruientibus ac mensuris ¹ et ponderibus in comitatu predicto aliis ante hec tempora factas tenore presencium duximus reuocandas.

In cuius etc., teste Rege apud Westmonasterium, quinto die Februarii.

Per ipsum Regem et consilium.

Consimiles commissiones habent subscripti in comitatibus subscriptis sub eadem data, videlicet:

Exactly identical with the form of the above, *mutatis mutandis*, is the commission issued on 10 Oct. by the duke of Lancaster; De statuto operariorum conseruando necnon de statuto mensurarum conseruando. Duchy of Lancaster, Chancery Rolls of the Palatinate, ii, no. 24 d.² (7th year of the duke, 1357).

Durham, *Cursors' Records*, 30, rot., 1, Hatfield, ann. 5, m. 5 d.; no. 6.³

Rotulus Cancellarii domini Thome de Hatfield, episcopi, de anno pontificatus sui quinto, quinto, quinto.

Commissio de operariis iuxta proclamacionem domini Regis.

Thomas Dei gracia episcopus Dunelmiensis, dilectis et fidelibus suis Thome ⁴ Gray, Willelmo de Mordon, vicecomiti suo

¹ MS. *mesuris*.

² *R. D. K.*, xxxii, app., i.

³ The heading proves the nature of this enrollment and seems to have escaped the notice of Mr. Pike and Mr. Lapsley; for they both describe the document as a special commission for the better execution of justice within the county palatine, issued by the bishop in accordance with the king's commands. Cf. *R. D. K.*, xxxi, app., 134, *Cal. Curs. Records*, and *The County Palatine of Durham*, 178.

⁴ MS. Thomas.

Dunelm', Willelmo de Wessyngton et Iohanni de Meneuill, salutem. Cum dominus Rex ratione superioris domini sui breue suum quam plurimos continens articulos nobis nuper mandauerit supplicando vt congruum remediũ tam maioribus quam minoribus infra nostram regiam libertatem, veluti in regno suo vbique extra eandem libertatem exhibetur super articulis predictis adhibere velimus, Nos dicti domini Regis mandato prout decet obedire et omnibus et singulis tam maioribus quam minoribus infra nostram regiam libertatem predictam fieri volentes quod est iustum, assignauimus vos quatuor, tres et duos vestrum iusticiarios nostros in warda de Cestria iuxta discreciones vestras super articulis vniuersis in predicto breui regio contentis plenius veritatem inquirendam¹ et ad eosdem articulos in warda predicta audiendos et terminandos. Et ideo vobis mandamus quod ad certos dies et loca quos vos quatuor, tres et duo vestrum ad hoc prouideritis, omnibus aliis pretermis-
 missis, super articulis vniuersis in predicto breui regio contentis per sacramentum proborum et legalium hominum warde predictæ diligenter inquiretis, et eisdem articulis audiat et fine debito terminetis facturi inde quod ad iusticiam pertinet secundum legem et consuetudinem regni Anglie et nostre regie libertatis. Saluis nobis amerciamentis et aliis ad nos inde spectantibus. Damus autem vobis quatuor, tribus et duobus vestrum potestatem arrestandi, attachiandi et prisone nostre commit-
 tendi omnes et singulos qui coram vobis quatuor, tribus et duobus vestrum super articulis predictis in predicto breui regio contentis seu aliquo eorundem conuicti fuerint ibidem moraturos quousque aliter de eis duxerimus ordinandum, libertate ecclesiastica in omnibus semper salua. Mandauimus enim vicecomiti nostro Dunelm' quod ad certos dies et loca quos vos quatuor, tres et duo vestrum ei scire faciatis coram vobis quatuor, tribus et duobus vestrum predictum breue regium seu eiusdem copiam recitari faciat, et de eisdem articulis coram vobis, quatuor, tribus et duobus vestrum seu de aliquo eorun-

¹ The clerk has omitted the "ad" before the gerundive, a rather frequent usage.

dem conuictos quodque per vos quatuor, tres vel duos vestrum arrestatos et attachiatos a vobis quatuor, tribus vel duobus vestrum recipiat et in priona nostra saluo custodiri faciat donec aliter duxerimus ordinandum.

In cuius rei testimonium, has literas nostras fieri fecimus patentes.

Date Dunelm' per manum Willelmi de Westle decani Aukeland' cancellarii nostri, xv die Iunii anno pontificatus nostri quinto.

Consimiles commissiones habent predicti Thomas et Willelmus vna cum aliis sibi associatis in wardis de Derlyngton, Stokton, et Esyngton, et in wapentachio Sadberg', in forma suprascripta, etc.

Duchy of Lancaster; Chancery Rolls of the Palatinate; ii, no. 10. De iusticiariis assignandis super statutum servientium.

Dux dilectis et fidelibus Iohanni Cokayn, Rogero de Faryngton, Iohanni de Haueryngton, Ricardo de Radeclif, Willelmo de Radeclif, Roberto de Syngleton et Roberto de Prestecote, salutem. Cum per excellentissimum principem dominum nostrum, dominum Edwardum, Regem Anglie, ac prelatos, duces, comites, barones et alios magnates ad parliamentum ipsius Regis nuper apud Westmonasterium conuocatos concessum fuisset communitati regni Anglie in auxilium decime et quinte-decime, quas eadem communitas dicto Regi, pro guerre sue Francie expeditione et regni predicti defensione pro tribus annis tunc proxime futuris concesserunt, fines, exitus, redemptiones, amerciamenta et omnia alia proficua que fuerunt seu essent leuata aut recepta de operariis, artificibus, hostelariis et omnibus aliis seruientibus, prout in statuto inde ad parliamentum dicti Regis in octabis Purificacionis beate Marie anno eiusdem Regis vicesimo quinto tentum edito, continetur, a festo Pasche tunc vltimo preterito vsque ad vltimum terminum solutionis decime et quinte-decime predictarum. Necnon concessum fuit eidem communitati quod si aliquod de dictis finibus, exitibus, redemptionibus, amerciamentis et proficuis predictis are-

tro esset a confeccione eiusdem statuti quod hominibus villarum et hamelettorum dicte communitatis in auxilium decime et quintedecime ante hec tempora currencium soluisse debuisset, seu de summis de quibus eidem Regi non fuit responsum, tunc eadem communitas haberet id quod sic aretró esset in auxilium decime et quintedecime ad dictum vltimum parliamentum concessarum; ita semper quod dictis decima et quintadecima cessantibus, huiusmodi fines, exitus, redempciones, amerciamenta et omnia alia proficua que extunc de huiusmodi operariis, artificibus et aliis seruientibus quibuscumque essent leuanda ad opus ipsius Regis leuarentur. Et quia vltimus terminus solutionis decime et quintedecime predictarum ad festum Sancti Michaelis Archangeli proxime preteritum extitit pro certo, per quod huiusmodi fines, exitus, redempciones et amerciamenta ad nos et non ad alium iuxta libertates nobis per ipsum dominum nostrum Regem ante hec tempora concessas infra ducatum predictum a dicto festo Sancti Michaelis sic proxime preterito vsque nunc et exnunc de iure pertinere debeant. Assignauimus vos, sex, quinque, quatuor, tres et duos vestrum iusticiarios nostros ad dictum statutum de seruientibus infra ducatum predictum custodiendum et custodiri faciendum, et ad inquirendum de operariis et aliis seruientibus quibuscumque et eorum factis tam a dicto festo Sancti Michaelis proxime preterito quam de tempore futuro secundum tenorem statuti, concessionis et ordinacionis predictorum, et ad audiendum et terminandum omnia quecumque facta fuerint contra statutum, concessionem et ordinacionem supradicta, tam ad sectam nostram quam aliorum conqueri volencium infra libertates et extra, et ad omnes illos quos contra formam eorundem inuenieritis in aliquo delinquentes castigandos et puniendos secundum formam eorundem et legem et consuetudinem regni Anglie. Et ideo vobis mandamus quod ad certos dies et loca quos vos, sex, quinque, quatuor, tres vel duo vestrum ad hoc prouideritis, inquisitiones ac puniciones super premissis faciatis et premissa omnia et singula audiatis et terminetis in forma predicta prout ad iusticiam pertinet. Mandauimus enim vice-

comiti nostro ducatus predicti quod ad certos dies et loca quos vos, sex, quinque, quatuor, tres vel duo vestrum ei scire faciatis, venire faciat coram vobis sex, quinque, quatuor, tribus vel duobus vestrum tot et tales probos et legales homines de balliua sua tam infra libertates quam extra per quos rei veritas super premissis melius sciri poterit et inquiri.

In cuius etc., teste Henrico de Walton archidiacono Riche-mund' locum Ducis tenente in ducatu predicto apud Preston, primo die Augusti. Et mandatum est vicecomiti Lanc' quod eisdem Iohanni, Rogero, Ricardo, Roberto et Roberto in premissis faciendis intendens sit et respondens, sub eadem data. (5th year of the duke, 1355.)¹

Writs of Privy Seal, Chancery, Series I; File 369, no. 23335.

Edward par la grace de Dieu Roi Dengleterre et de France et Seignur Dirlande a lonurable piere en Dieu leuesque de Wyncestre nostre chancellor saluz. Porce que tout plein des mals et erreurs sont auenuz par cause des especiales commissions que ont este faites piecea en diuerses franchises et villes pur enquere des excès des laborers si auons ordene et volons que desore toutes tieles commissions especiales grantees en quecunqes franchises et villes de nostre roialme soient repellees et que certaines gentz bones et loialx soient assignez generalment parmy touz les countez du dit roialme, les queux et nuls autres facent les sessions des ditz laborers, si vous mandons que repellees les dites especiales commissions come dessus est dit, facent assigner suffisantes gentz pur meismes les sessions parmy les countez dessusditz.

Done souz notre priue seal a Westmonster le viii jour de feuerer, lan de nostre regne dengleterre trente primer et de France disoytisme.²

Rotuli Literarum Clausarum, 33 Edw. III, m. 10 d;

¹ *R. D. K.*, xxxii, app., i; the reference to the ending of the subsidy seems to me to prove the date conclusively.

² *Cf.* the final clause of the commission, app., 27.

De supersedendo execucioni commissionis iusticiariorum ad statutum de operariis factum faciende.

Rex dilectis et fidelibus suis Iohanni de Lyouns et sociis suis iusticiariis ad ordinacionem et statutum de operariis, seruientibus et artificibus ac de ponderibus et mensuris in comitatu Norht' custodienda, salutem. Quibusdam certis de causis nos mouentibus, vobis mandamus quod execucioni commissionis nostre vobis in hac parte facte vltcrius faciende supersedeatis quousque aliud a nobis inde habueritis in mandatis.

Teste Thoma filio nostro carissimo custode Anglie apud Wodestok, quarto die Nouembris,

Per ipsum custodem et consilium.

Consimilia breuia diriguntur singulis iusticiariis ad statutum predictum in singulis comitatibus per Angliam custodiendum assignatis quod execucioni commissionis Regis eis inde facte supersedeant in forma predicta.

Teste vt supra.

2. Chronological list of commissions to enforce the statutes of labourers issued during the years 1349-1359 and enrolled among the letters patent.

In cases where commissions are duplicated almost absolutely, both as to date and names (evidently by a clerical error), the second has been omitted from the lists and merely indicated in a note; but although there are usually several districts (in one instance, nineteen) that receive two or three commissions annually, these repeated districts are counted over again. Divisions of counties, *e. g.* Holland, *etc.*, are counted as counties; the palatinates are omitted, removals are not referred to, and vacated commissions only in the notes; associations are given merely as totals for each regnal year.

For the first and second periods the marginal headings on the Patent Rolls are misleading; they contain no reference to the labour legislation, but are: "De custodia pacis," or "De pace conseruanda," or "De audiendo et terminando felonias," *etc.* Cf. my article in E. H. R., 522, for the exact phraseology.

For the third period, 1352-1359, * * shows that a commission of the peace was appointed on the same date for the same district; * shows that a commission of the peace was appointed for the same district during the same regnal year; the result of this comparison appears in the table in pt. 1, ch. i, s. 2. The references to the Patent Rolls for the separate commissions for labourers are usually under the headings: "De inquirendo de operariis," or "De inquirendo de excessibus operariorum" (the lists are duplicated in the Originalia almost without variation). Three of these commissions are referred to in *Cal. Rot. Pat.*, Rec. Comm., 167 a and b, 170 a; six of them are noted in *Rot. Orig. Abbreviatio*, Rec. Comm., ii, 233, 238, 242, 246, 249 and 255.

The references for the separate commissions of the peace are as follows, under the headings "De pace conseruanda," or "De custodia pacis" (duplicated in Originalia): 26, pt. 3, m. 4 d (*Cal.*, ix, 394); 27, pt. 1, m. 25 d (*Cal.*, ix, 449-450), pt. 2, m. 26 d (*Cal.*, ix, 508); 28, pt. 1, m. 21 d, pt. 2, m. 14 d; 29, pt. 1, m. 29 d; 30, pt. 1, ms. 20, 19 and 16 d; 31, pt. 1, ms. 17 and 11 d; 32, pt. 1, m. 31 d; 33, pt. 1, m. 18 d, pt. 2, m. 12 d, pt. 3, m. 4 d (Rymer, iii, pt. 1, 463-464).

Period i. Separate commissions for labourers, except when indicated.

23, pt. 3, m. 8 d. 6 Dec. University and city of Oxford.¹

(Joint commissions of the peace and for labourers.)

24, pt. 1, m. 23 d.² 20 Feb. Bedford, Bucks., Camb.,
Holland and Kesteven
(Linc.), Hunts., Leices-
ter, Norfolk.

¹ *Cal.*, viii, 458; assigned by an error to m. 9 d. A commission to the mayor and sheriffs of London, 8 Dec. of the same year, is enrolled in Letter Book F; *Cal.*, 199.

² Bucks. is given twice; there is also an unfinished commission with no county noted. In *Cal.*, viii, 526, the summary of the form of this commission fails to include the clause in regard to the ordinance of labourers; moreover Dorset is printed for Bedford.

- 24, pt. 3, m. 13 d.¹ 20 Oct. Lancaster.
 24, pt. 3, m. 10 d.² 12 Nov. Lindsey (Linc.).
 18 Nov. Suffolk.

Period ii. Joint commissions of the peace and for labourers.

25 Edw. III.

pt. 1, ms. 15 and 14. 15 March.³ Bedford, Berks., Bucks.,
 Camb., Cumberland, Derby, Devon, Dorset, Essex,
 Gloucester, Hereford, Herts., Hunts., Kent, Leicester,
 Holland, Kesteven and Lindsey (Linc.), Midd., Nor-
 folk, Northants., Northumberland, Notts., Oxford, Rut-
 land, Shropshire, Somerset, Southampton, Stafford,⁴
 Suffolk, Surrey, Sussex, Warwick, Westmoreland,
 Wilts., Worcester, E. R., N. R. and W. R.⁵ (York),
 town of Stamford.

pt. 1, m. 19 d. 27 March. City of Lincoln.⁶

pt. 3, m. 19 d. 3 Nov. City of York.⁷

27 associations; pt. 1, m. 13 d.⁸

26 Edw. III.

pt. 1, m. 28 d.⁹ 8 Feb. Newcastle-on-Tyne.
 m. 15 d.¹⁰ 15 Feb. Kingston-on-Hull.
 m. 21 d.¹¹ 20 Feb. Scarborough, Lib. of Hol-
 derness.

¹ *Cal.*, ix, 26.

² *Ibid.*, 27-28; printed in full, although with slight mistakes, by Rymer, iii, pt. 1, 210-211.

³ *Cal.*, ix, 85-91; *cf.* app., B, 1, for form of the commission.

⁴ Repeated on 6 Dec. with almost the same names.

⁵ Repeated on 20 May with almost the same names but a slightly different form of commission.

⁶ *Cal.*, ix, 83; the summary fails to include the clause as to the statutes of labourers.

⁷ *Ibid.*, 201.

⁸ *Ibid.*, 91-92.

⁹ *Ibid.*, 274-275.

¹⁰ *Ibid.*, 281.

¹¹ *Ibid.*, 278.

pt. 1, m. 9 d. ¹	20 April.	Warwick, Worcester.
	15 May.	Shropshire.
pt. 2, m. 20 d. ²	25 June.	Beverley.
pt. 1, m. 9 d. ³	2 July.	Worcester.
	15 July.	Cornwall.
5 associations: 26, pt. 1, m. 8 d. ⁴		

Period iii. Separate commissions for labourers.

26 Edw. III.

pt. 3, m. 7 d. ⁵	17 Dec.	Bucks.
m. 4 d. ⁶	1 Jan.	* Berks., * Oxford.
m. 1 d. ⁷	1 Jan.	* * Carlisle.

3 counties, 1 town.

27 Edw. III.

pt. 1, m. 24 d. ⁸	12 Feb.	* Worcester, * * Kingston-on-Hull, * * Stamford.
	4 May.	* Kesteven (Linc.).
	27 May.	Wilts.
	3 June.	* * Essex.
	20 June.	* * Retford-in-the-Clay.
	3 July.	* W. R. (York).
	20 July.	* * Devon.
pt. 2, m. 25 d. ⁹	3 Aug.	* * Gloucester, * * Worcester. ¹⁰
	25 Aug.	* * Beverley.
	26 Oct.	* Lindsey (Linc.), Westmoreland.
	3 Nov.	* * Camb.
	8 Nov.	Essex.

¹ *Cal.*, ix, 284-285; the summary fails to include the clause as to the statutes of labourers.

² *Ibid.*, 332.

³ *Ibid.*, 284-285.

⁴ *Ibid.*, 285.

⁵ *Ibid.*, 392.

⁶ *Ibid.*, 394.

⁷ *Ibid.*, 395.

⁸ *Ibid.*, 451.

⁹ *Ibid.*, 508–509.

¹⁰ Essex also, but vacated.

22 Nov.	Bedford, Norfolk.
26 Nov.	* Northants.
1 Dec.	* * Hunts.
15 Jan.	* * Grimsby.
20 Jan.	Holland (Linc.).

9 associations: 2 on 25, pt. 1, m. 13 d; 1 on 26, pt. 1, m. 8 d; 2 on 27, pt. 1, m. 23 d; 4 on 27, pt. 2, m. 25 d.¹
17 counties, 5 towns; Worcester and Essex twice.

28 Edw. III.

pt. 1, m. 22 d. and pt. 2, m. 13 d.	10 Feb.	Wap. of Claro, Ewcros, Sky- rack, and Staincliffe, (York), * Lib. of Rich- mond.
	18 Feb.	* * Leicester.
	28 Feb.	* * Coventry.
	20 March.	Town & Lib. of Ripon.
	26 April.	Northants.
	8 May.	Holland, Lindsey and * Kes- teven (Linc.), * Somerset.
	14 May.	Suffolk.
	18 May.	* * Warwick, * * Worcester.
	20 June.	Shropshire, * Surrey, * * Sussex, Lib. of abbot of Peterborough.
	26 June.	* Norfolk.
	28 June.	* * Coventry.
	1 July.	Worcester.
	2 July.	Bucks., * * Derby, Essex, * * Leicester, * * Holland (Linc.), * * Notts., * * Oxford, * * Rutland, * * Southampton, * * Wilts.,

¹ *Cal.*, ix, 92, 285, 452, 509.

	* * Wap. ¹ of Herthill and Hovedenshire, * * Wap. of Dickering, Bucrose, Ouse and Derwent (York, E. R.), * * Wap. of Allerton, Birdforth and Richmond, * * Wap. of Bulmer and Rydale, * * Wap. of Cleveland and Pickering (York, N. R.), * * Wap. of Ainsty, Barkston and Claro (York, W. R.), * Lib. of Holderness.
3 July.	* Lindsey (Linc.). ²
26 Sept.	* * Kent. ³
3 Oct.	* * Scarborough.
20 Oct.	* * Leicester.
8 Nov.	Lib. of dean and chapter of St. Peter of York.
26 Nov.	* * Northants.
16 Dec.	* * Cornwall.
20 Jan.	* * Bedford, * Dorset, * * town of Huntingdon.

10 associations: 7 on pt. 1, m. 22 d; 2 on pt. 2, m. 13 d, and 1 on pt. 3, m. 15 d.

31 counties, 4 towns, 5 liberties, 7 groups of wapentakes. Leicester and Northants. three times; Holland and Lindsey (Linc.), Worcester and Coventry twice.

29 Edw. III.

pt. 1, m. 28 d. 26 Jan. * * Notts.

¹ I have counted the following six groups of wapentakes as corresponding to the peace commission of the same date for Yorkshire.

² On 25 July there was also a commission for Northants., but it was vacated.

³ Repeated with almost the same names.

APPENDIX

	14 Feb.	Scarborough.
	1 March.	Lib. of Holderness.
	21 March.	Herts.
	26 April.	Northants.
	15 May.	Wap. of Ainsty, Barkston and Claro (York, W. R.).
	16 May.	* Stafford.
	20 June.	* * Town of Huntingdon, Lib. of abbot of St. Mary of York.
	4 July.	Scarborough.
	12 July.	* * Rutland.
	20 July.	* * Lynn.
pt. 2, m. 8 d.	1 Aug.	Leicester, Northants., Notts., Oxford, Warwick (except Coventry).
	28 Aug.	Essex.
	1 Oct.	Midd.
	2 Oct.	Hereford.
	16 Oct.	Boston.
	20 Oct.	* Bedford, * Kent.
	2 Nov.	* Stafford.
	30 Nov.	Cumberland, Herts., * Nor- folk (except Lynn).
	1 Dec.	Lindsey (Linc.).
	3 Dec.	Worcester.
	10 Dec.	* * Cornwall.
	20 Dec. ¹	Bedford (n. d.), Berks. (n. d.), Bucks. (n. d.), Camb., Cumberland, Cornwall, Der- by, Devon, Dorset, Essex, * Gloucester, * Hereford, Herts., Kent (n. d.), * Hol-

¹The counties marked "n. d." are undated but follow immediately after those of 20 Dec., and in the Originalia duplicates are all thus dated.

land, Kesteven, Lindsey (Linc.), Midd., Norfolk (except Lynn), * Northants., Notts., Oxford (n. d.), Rutland, Shropshire, * Somerset, Southampton (n. d.), Stafford, * Suffolk, Surrey, Warwick, * Westmoreland, Wilts. (n. d.), Worcester, E. R., N. R., W. R. (York).¹

pt. 3, m. 4 d. 12 Jan. Lib. of abbot of Reading.
pt. 2, m. 8 d. 17 Jan. Westmoreland.

7 associations.

59 counties, 5 towns, 3 liberties, 1 group of wapentakes, Herts., Northants., Notts. and Stafford three times.

Bedf., Cornwall, Cumberland, Essex, Hereford, Kent, Lindsey, Midd., Norfolk, Oxford, Rutland, Warwick, Westmoreland, Worcester, Scarborough, twice.

30 Edw. III.

pt. 1, m. 17 d. 10 March. * * Derby.
 12 March. Sussex.
 15 March. Boston.
 20 March. Manors, etc., of Cheshunt and Bassingbourn of earl of Richmond, borough of Wycombe.
 26 March. * * Northants., Honours of Wallingford, etc., and hundreds, towns, etc., in various counties, of duke of Cornwall.
 1 April. * Worcester.

¹ Northumberland but not acted upon.

APPENDIX

	6 April.	City of Lincoln.
	15 April.	* Notts.
	28 April.	Lib. of Ripon of archbishop of York.
	1 May.	Lib. of Leominster of abbot of Reading.
	8 May.	Lib. of prior of Bustlesham.
	20 May.	Prince of Wales' manor of Kirton.
	25 May.	Town of Nottingham.
	27 May.	* Newark.
	28 May.	* * Shrewsbury.
	30 May.	Southwell.
	8 June.	Lib. of King's free chapel of Windsor.
	8 July.	Manors, etc., of duke of Lancaster in Lincolnshire.
pt. 3, m. 17 d.	10 July.	Lib. of Queen Isabel in towns of Cambridge and Chester-ton.
pt. 1, m. 17 d.	12 July.	* Derby, N. R. (York).
	15 July.	Southwell.
	20 July.	Lib. of Hospital of St. Leonard of York.
	26 July.	Queen Philippa's Lib. of Knaresborough.
	11 Sept.	Manors, etc., of church of St. Paul in various counties.
	16 Sept.	Lib. of archbishop of Canterbury in Kent.
	18 Sept.	* Shrewsbury.
	12 Oct.	Bishop of Durham's Lib. of Howden.
	16 Oct.	* * Southampton, Lib. of duke of Lancaster in W. R. (York).
	20 Oct.	* Somerset.

	27 Oct.	Lib. of St. Mary's church of Lincoln.
pt. 3, m. 22 d.	28 Oct.	Lib. of duke of Lancaster in various counties.
pt. 3, m. 17 d.	30 Oct.	Lib. of Pickering and wap. of Rydale (York, N. R.), Scarborough.
	8 Nov.	Warwick.
	15 Nov.	Prince of Wales' manor of Kirton.
	16 Nov.	* * Town of Leicester.
	20 Nov.	City of Exeter.
	11 Dec.	* Derby.

21 associations.

11 counties, 12 towns, 18 liberties, 1 group of wapentakes. Derby three times; Shrewsbury and Southwell twice.

31 Edw. III.

pt. 1, m. 20 d.	5 Feb.	Bedford, Berks., Bucks., Camb., Cumberland, Derby, * Devon, Dorset, Essex, Gloucester, * Hereford, Herts., Hunts., Isle of Wight, * Kent, Leicester, Holland, Kesteven and Lindsey (Linc.), Midd., * Norfolk, Northants., Northumberland, * Notts., ¹ Oxford, Rutland, Shropshire, * Somerset, * Southampton, Stafford, Suffolk, Surrey, Sussex, Warwick, Westmoreland, Wilts., Worcester, E. R., N. R. and W. R. (York).
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¹ Repeated with slight variations in the names.

pt. 1, m. 19 d.	12 March.	Town of Oxford.
pt. 1, m. 20 d.	1 Aug.	London.
	26 Nov.	N. R. (York).

5 associations; pt. 1, m. 20 d.

41 counties, 2 towns.

N. R. (York), twice.

32 Edw. III.

pt. 1, m. 34 d.	26 Jan.	* Somerset.
	16 Feb.	* Leicester.
	20 Feb.	* Cornwall.
	16 May.	Herts.
	18 June.	W. R. (York).
	14 July.	Lib. of bishop of Ely.
	16 July.	W. R. (York).
	20 Oct.	Lib. of Cinque Ports. ¹
	20 Nov.	E. R. (York).
	28 Nov.	* Northants.
	1 Dec.	Town of Oxford.
	15 Dec.	* Worcester.

10 associations.

9 counties, 2 towns, 1 liberty.

W. R. (York), twice.

33 Edw. III.

pt. 1, m. 27 d.	6 March.	* Essex.
	26 March.	* Holland (Linc.).
	4 May.	* Bucks.
	18 May.	* Dorset.
	28 May.	* Oxford, * W. R. (York).
	4 Aug.	* Berks.
	10 Aug.	* Herts.
	12 Sept.	* N. R. (York).
pt. 3, m. 21 d.	6 Oct.	Town of Oxford.

9 counties, 1 town.

5 associations; pt. 1, m. 27 d.

99 associations for the decade.

¹ Included under towns but counted as one.

3. *List of the 671 justices responsible for the enforcement of the statutes during the decade.*

The difference in number between 671 and 664 as given in my article in *E. H. R.*, 527, is due to the addition to the list of the names from two cancelled commissions and also of a name from a source other than the Patent Rolls, and to the decision in two instances that the same name belonged to more than one man. The total number is really somewhat greater than even this present list: the mayor of Oxford and also the mayor and sheriffs of London had on several occasions received commissions, although these officials are not included here. Further, the lists for the first uncertain period are by no means complete; *e. g.* Mauny and Thorpe both had colleagues whose names I have not yet discovered.

Unless otherwise specified, the manuscript references are to the Patent Rolls, the first number in each case meaning the regnal year. The list of justices whose names are derived from other sources are given in pt. 1, ch. i, s. 2. In some cases the date of an appointment is not recorded on the Patent Rolls but is supplied from the Originalia duplicate enrollment.

The names given are of justices appointed on a separate commission for labourers, except when the name is preceded by the letters L. and P.; these show that the appointment was for a joint commission of the peace and for labourers. ‡ shows that a justice of labourers was during the years 1352-1359 appointed on a separate commission of the peace; † shows that at some time during his career a given justice of labourers served as judge in one of the upper courts. Removals and associations are indicated. A bracket around "de" or "le," *etc.*, indicates that the word sometimes, but not invariably, occurs with the name.

‡ Adam, Thomas, of Asshebourne

Derby

L. & P. 25 pt. 1, m 14 d; 15 March.

30 pt. 1, m 17 d; 10 March; *ibid.*, 12 July.

(*ibid.*, 8 Aug. "dominus Rex . . . a commissione illa duxit amouendum." H. de la Pole assoc. in his place.)

‡ Alanby, Thomas de

Carlisle

26 pt. 3, m 1 d; 1 Jan.

‡ Albert, Alberd, Richard

Hunts. (except the town of Huntingdon)

29 pt. 2, m 8 d; 15 Oct. (assoc.)

Hunts.

31 pt. 1, m 20 d; 5 Feb.

Aldestowe. *See* Oldestowe.

Aleyn, John, of Wonford

Exeter

30 pt. 3, m 17 d; 20 Nov.

Alkebarowe, Alkebarwe, John de, clerk (parson of the church of Sibseye)

Lindsey (Linc)

27 pt. 2, m 25 d; 12 Jan. (assoc.).

28 pt. 1, m 22 d; 8 May; *ibid.*, 3 July.

Manors, etc., of duke of Lancaster in Lincolnshire

30 pt. 1, m 17 d; 8 July.

‡ Allerstan, John de

Lib. of Pickering and wap. of Rydale, N. R.

30 pt. 3, m 17 d; 30 Oct.

‡ Alveton, John de

Oxford

L. & P. 25 pt. 1, m 14 d; 15 March

Honours, towns, etc., of the Duchy of Cornwall in various counties.

30 pt. 1, m 17 d; 26 March.

Angus, Earl of. *See* Umframvill.

Apethorp, William de
Stamford

L. & P. 25 pt. 1, m 14 d; 15 March.

Apoldrefeld, William de

Lib. of archbishop of Canterbury in Kent

30 pt. 1, m 17 d; 16 Sept.

Ardale, Adam de

Essex

L. & P. 26 pt. 1, m 8 d; 16 May (assoc.).

‡ Arserugge, Assherugge, Thomas de

Kent

28 pt. 2, m 13 d; 26 Sept. (repeated).

‡ Artureth, William de

Carlisle

26 pt. 3, m 1 d; 1 Jan.

Arundel, Earl of. *See* Fitz Alan.

‡ Ask, Richard de

Bishop of Durham's Lib. of Howden

30 pt. 1, m 17 d; 12 Oct.

‡ Aspale, John de, (knight)

Suffolk

24 pt. 3, m 10 d; 18 Nov.

L. & P. 25 pt. 1, m 14 d; 15 March.

28 pt. 1, m 22 d; 14 May.

Assh, Robert de

Northants.

32 pt. 1, m 34 d; 20 Feb. (in place of William Broun).

Void.

‡ Asshewell, Assewell, Eustace de

Stamford

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 1, m 24 d; 12 Feb.

‡ Asteleye, Thomas de

Leicester

28 pt. 1, m 22 d; 2 July.

‡ Aston, Hugh de

Leicester

L. & P. 25 pt. 1, m 13 d; 20 May (assoc.).

Northampton

L. & P. 26 pt. 1, m 8 d; 20 May (assoc.; apparently an error in the list of names to which this name is added).

Shropshire

L. & P. 26 pt. 1, m 9 d; 15 May.

Stafford

29 pt. 1, m 28 d; 16 May.

29 pt. 2, m 8 d; 2 Nov.; *ibid.*, 20 Dec.

Warwick

L. & P. 25 pt. 1, m 15 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 20 April.

Worcester

27 pt. 2, m 25 d; 3 Aug.

Coventry

28 pt. 1, m 22 d; 28 Feb.; *ibid.*, 28 June.

Shrewsbury

30 pt. 1, m 17 d; 28 May; *ibid.*, 18 Sept.

‡ Aston, Roger de

Stafford

29 pt. 1, m 28 d; 16 May.

31 pt. 1, m 20 d; 5 Feb.

‡ Aton, William de

Wap. of Cleveland and Pickering, N. R.

28 pt. 1, m 22 d; 2 July.

Scarborough

29 pt. 1, m 28 d; 4 July.

Lib. of Pickering and Wap. of Rydale, N. R.

30 pt. 3, m 17 d; 30 Oct.

‡ Ayrmynne, William de

Kesteven (Linc.)

27 pt. 1, m 24 d; 4 May.

- Baa, Thomas de
Norfolk
28 pt. 1, m 22 d; 11 July (assoc.).
- Bacon, Robert
Suffolk
31 pt. 1, m 20 d; 5 Feb.
- Bampton, John de
Essex
27 pt. 1, m 23 d; 8 July (assoc.).
- ‡ Banastre, William, (of Hadenhale)
Shropshire
L. & P. 26 pt. 1, m 9 d; 15 May.
28 pt. 1, m 22 d; 20 June.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
- Shrewsbury
30 pt. 1, m 17 d; 28 May; *ibid.*, 18 Sept.
- ‡ Bardolff, Bardolf, John, (of Wyrmegeye)
Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
28 pt. 1, m 22 d; 26 June.
- Barentyn, Thomas
Oxford
31 pt. 1, m 20 d; 5 Feb.
- Barton, Henry de, clerk
Lib. of Ripon of archbishop of York
30 pt. 1, m 17 d; 28 April.
- Barton, John de
Scarborough
29 pt. 1, m 28 d; 14 Feb.
- ‡ Barton, Roger de
Scarborough
28 pt. 2, m 13 d; 3 Oct.
29 pt. 1, m 28 d; 14 Feb.
- ‡ Basset, Simon
Gloucester
28 pt. 2, m 13 d; 3 Feb. (29th year; assoc.).

- † ‡ Basset, William
 Cumberland
 L. & P. 25 pt. 1, m 14 d; 15 March.
 Lancashire
 24 pt. 3, m 13 d; 20 Oct.
 Northumberland
 L. & P. 25 pt. 1, m 14 d; 15 March.
 Westmoreland
 ditto
 York, E. R.
 ditto
 York, N. R.
 ditto
 York, W. R.
 ditto (repeated, 20 May)
 Beverley
 L. & P. 26 pt. 2, m 20 d; 25 June.
 27 pt. 2, m 25 d; 25 Aug.
 Kingston-on-Hull
 L. & P. 26 pt. 1, m 15 d; 15 Feb.
 Scarborough
 L. & P. 26 pt. 1, m 21 d; 20 Feb.
 City of York
 L. & P. 25 pt. 3, m 19 d; 3 Nov.
 Bathelay, Batheleye, William de
 Southwell
 30 pt. 1, m 17 d; 15 July.
 Nottingham
 31 pt. 1, m 20 d; 5 Feb.
 Bayard, William
 Boston
 29 pt. 2, m 8 d; 16 Oct.
 Beauchaump, John de, of Somerset
 Somerset
 L. & P. 25 pt. 1, m 15 d; 15 March.

Beauchamp, Roger de

Wilts.

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Beauchamp, Bello Campo, Thomas de, earl of Warwick
Warwick

L. & P. 25 pt. 1, m 15 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 20 April.

Worcester

L. & P. 25 pt. 1, m 14 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 20 April; *ibid.*, 2 July.

27 pt. 1, m 24 d; 12 Feb.

‡ Beauchamp, Bello Campo, William de

Worcester

L. & P. 25 pt. 1, m 14 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 20 April (de Campo merely).

(Granted a general patent of exemption on account
of age; 26 pt. 2, m 21; 13 June. Exonerated from
service in Worcester, "certis de causis coram con-
silio;" Claus. 26 m. 15; 28 Aug.).

27 pt. 1, m 24 d; 12 Feb.

‡ Beek, Henry de

Derby

31 pt. 1, m 20 d; 16 Dec. (assoc.).

Beek, James atte

Lindsey (Linc)

24 pt. 3, m 10 d; 12 Nov.

Beek, Nicholas de

Leicester

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Stafford

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Bekwell, Henry de

Surrey

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 1, m 22 d; 20 June.

‡ Belesby, William de

Lindsey (Linc.)

28 pt. 1, m 22 d; 3 July.

Belewe, Belowe, John

Southwell

30 pt. 1, m 17 d; 30 May; *ibid.*, 15 July.

† Belknappe, Robert de

Lib. of abbot of Battle in Surrey

Assize Rolls, Surrey, 907; spring of 25 Edw. III; app.,
C, 1.

Belkthorp, William de

York, E. R.

32 pt. 1, m 34 d; 20 Nov.

Bello Campo. *See* Beauchaump.

‡ Benteleye, Bentele, John de

York, E. R.

L. & P. 25 pt. 1, m 14 d; 15 March.

(His place is taken by Illard de Usfeld; 26 pt. 1,
m 8 d; 6 May.)

Beverley

L. & P. 26 pt. 2, m 20 d; 25 June.

27 pt. 2, m 25 d; 25 Aug.

Bishop of Durham's Lib. of Howden.

30 pt. 1, m 17 d; 12 Oct.

Kingston-on-Hull

26 pt. 1, m 15 d; 15 Feb.

Scarborough

26 pt. 1, m 21 d; 20 Feb.

Berdeseye, William

Cumberland

31 pt. 1, m 20 d; 5 Feb.

Bere, Richard de la

Hereford

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Berewe, Bergh, Walter atte

Wilts.

27 pt. 2, m 25 d; 24 Jan. (assoc.).

28 pt. 2, m 13 d; 2 July.

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

31 pt. 1, m 20 d; 5 Feb.

‡ Berewyk, Berwyk, Gilbert de

Wilts.

L. & P. 25 pt. 1, m 15 d; 15 March.

27 pt. 1, m 24 d; 27 May.

28 pt. 2, m 13 d; 2 July.

Berewyk, Berewik, Berwyk, Hugh de

Lancashire

24 pt. 3, m 13 d; 20 Oct.

York, W. R.

L. & P. 25 pt. 1, m 14 d; 15 March (repeated: 20 May).

Bergh, Martin de

Manors and towns of Cheshunt and Bassingbourn of the
earl of Richmond.

30 pt. 1, m 17 d; 20 March.

Bergh. *See* Berewe.

Berkele, Thomas de

Gloucester

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Berkele, Thomas de, of Coberle

Gloucester

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 3 Aug.

31 pt. 1, m 20 d; 5 Feb.

Berland, John de

Essex

L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).

‡ Bernard, Gilbert

Cambridge

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 15 d; 15 March.

27 pt. 2, m 25 d; 3 Nov.

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

Lib. of bishop of Ely

32 pt. 1, m 34 d; 14 July.

Bernard, Richard, the elder

Lib. of Pickering and Rydale, N. R.

30 pt. 3, m 17 d; 30 Oct.

‡ Berneye, John de

Norfolk

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 22 Nov.

(“quibusdam . . . certis de causis commissiones
. . . duximus revocandas” (includes W. de Wych-
yngham); Claus. 28 m. 29; 1 Feb.).

(Except Lynn)

29 pt. 2, m 8 d; 30 Nov.; *ibid.*, 20 Dec.

Norfolk

31 pt. 1, m 20 d; 5 Feb.

Berton, John de, the elder

Lib. of archbishop of Canterbury in Kent

30 pt. 1, m 17 d; 16 Sept.

‡ Beseby, Robert de

Grimsby

27 pt. 2, m 25 d; 15 Jan.

‡ Beverleye, John de

Beverley

27 pt. 2, m 25 d; 25 Aug.

Bifeld, Thomas de

Northants.

28 pt. 1, m 22 d; 20 Feb. (assoc.).

‡ Birton, Richard de

Berks.

L. & P. 25 pt. 1, m 14 d; 15 March.

Cornwall

L. & P. 26 pt. 1, m 9 d; 15 July.

Devon

L. & P. 25 pt. 1, m 14 d; 15 March.

Dorset

L. & P. 25 pt. 1, m 15 d; 15 March.

Oxford

L. & P. 25 pt. 1, m 14 d; 15 March.

Somerset

L. & P. 25 pt. 1, m 15 d; 15 March.

Southampton

ditto

Surrey

ditto

28 pt. 1, m 22 d; 20 June.

Wilts.

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Biteryng, William de

Lynn

29 pt. 1, m 28 d; 20 July.

Blake, John

Herts.

29 pt. 1, m 28 d; 21 March.

Blankeneye, John de

Manors, etc., of duke of Lancaster in Essex, Kent, Midd.
and Sussex.

30 pt. 3, m 22 d; 28 Oct.

Blaykeston, Blaikeston, Roger de

Cumberland

L. & P. 25 pt. 1, m 14 d; 15 March.

Lancashire

24 pt. 3, m 13 d; 20 Oct.

Westmoreland

L. & P. 25 pt. 1, m 14 d; 15 March.

York, E. R.

ditto

York, N. R.

ditto

Kingston-on-Hull

L. & P. 26 pt. 1, m 15 d; 15 Feb.

Newcastle-on-Tyne

L. & P. 26 pt. 1, m 28 d; 8 Feb.

Scarborough

L. & P. 26 pt. 1, m 21 d; 20 Feb.

Blenkansopp, Thomas

Westmoreland

31 pt. 1, m 20 d; 5 Feb.

Blundell, Richard

Northants.

L. & P. 25 pt. 1, m 14 d; 15 March.

Blyton, William de

City of Lincoln

L. & P. 25 pt. 1, m 19 d; 27 March.

Bockyng, Ralph de

Suffolk

24 pt. 3, m 10 d; 18 Nov.

L. & P. 25 pt. 1, m 13 d; 24 June (assoc.).

‡ Bohun, John de

Sussex

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 1, m 22 d; 20 June.

Bolle, Ranulf

Holland (Linc.)

33 pt. 1, m 27 d; 26 March.

‡ Botetourt, Butetourt, Buttetourt, John

Warwick

L. & P. 25 pt. 1, m 13 d; 20 Sept. (assoc.).

L. & P. 26 pt. 1, m 9 d; 20 April.

28 pt. 1, m 22 d; 18 May.

Worcester

L. & P. 25 pt. 1, m 13 d; 20 Sept. (assoc.).

(“certis de causis coram consilio” . . . he is appointed to Warwick; therefore “exonerandus” from service in Worcester; Claus. 26 m. 19, 15 April.)

L. & P. 26 pt. 1, m 9 d; 2 July.

(Again “exonerandus” from service in Worcester by a writ very similar to the above; Claus. 26 m. 15; 28 Aug.)

27 pt. 1, m 24 d; 12 Feb.

29 pt. 2, m 8 d; 3 Dec.

30 pt. 1, m 17 d; 1 April.

Botheby, John de, (clerk)

Lib. of Holderness

L. & P. 26 pt. 1, m 21 d; 20 Feb.

29 pt. 1, m 28 d; 1 March.

‡ Botiller, Thomas le

Gloucester

29 pt. 2, m 8 d; 20 Dec.

Worcester

31 pt. 1, m 20 d; 5 Feb.

‡ Boure, Hugh de la

Westmoreland

27 pt. 2, m 25 d; 26 Oct.

29 pt. 2, m 8 d, 20 Dec.; *ibid.*, 17 Jan.

Bowode, Robert de

Stafford

30 pt. 1, m 17 d, 28 May (assoc.); *ibid.*, 26 Oct. (in place of Roger de Hillary, who has died).

31 pt. 1, m 20 d; 5 Feb.

‡ Bozoun, Bozon, John

Notts.

28 pt. 2, m 13 d; 2 July.

29 pt. 1, m 28 d; 26 Jan.

30 pt. 1, m 17 d; 15 April.

31 pt. 1, m 20 d; 10 Nov. (in place of Thomas de Neumarche).

‡ Bracy, Robert

Worcester

32 pt. 1, m 34 d; 15 Dec.

Bradenham, Leonet de

Essex

29 pt. 2, m 8 d, 28 Aug.; *ibid.*, 20 Dec.

‡ Bradeston, Thomas de

Gloucester

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 3 Aug.

Braibrok. *See* Braybrok.

‡ Brankescombe, Brauncecombe, Braunkescombe, Braunkescoumbe, Richard (de)

Devon

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 1, m 24 d; 20 July.

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

Braunscoumbe, Walter de

Devon

33 pt. 1, m 27 d; 9 Feb. (with R. de Chiselden in place of Thomas de Crouthorn and William de Luscote).

‡ Braunche, Robert

Lynn

29 pt. 1, m 28 d; 20 July.

‡ Bray, Braye, John (de)

Kent

L. & P. 25 pt. 1, m 15 d; 15 March.

Middlesex

L. & P. 25 pt. 1, m 14 d; 15 March.

29 pt. 2, m 8 d; 1 Oct.; *ibid.*, 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

Bray, William

Lindsey (Linc.)

29 pt. 2, m 8 d; 1 Dec.

‡ Braybrok, Brabrok, Braibrok, Gerard de

Bedford

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 15 d; 15 March.

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 15 d; 15 March.

31 pt. 1, m 20 d; 5 Feb.

‡ Braylesford, Henry de

Derby

28 pt. 2, m 13 d; 2 July.

29 pt. 2, m 8 d; 20 Dec.

Brewes, Thomas de

Surrey

County Placita, no. 8; spring of 24 Edw. III; app.,
C, 2.

‡ Brian, Bryan, Bryene, Guy de

Berks.

26 pt. 3, m 4 d; 1 Jan.

Gloucester

27 pt. 2, m 25 d; 3 Aug.

Oxford

L. & P. 26 pt. 1, m 8 d; 3 May (with G. Chasteleyn
in place of J. de Grey and J. Golafre).

26 pt. 3, m 4 d; 1 Jan.

Worcester

27 pt. 2, m 25 d; 3 Aug.

28 pt. 1, m 22 d; 1 July.

29 pt. 2, m 8 d; 20 Dec.

30 pt. 1, m 17 d; 1 April.

Brigeham, John de

Cambridge

L. & P. 25 pt. 1, m 15 d; 15 March.

Broun, William

Northants.

28 pt. 1, m 22 d; 26 April.

31 pt. 1, m 20 d; 5 Feb.

(because he cannot attend to his office, Robert

Assh is appointed in his place; 32 pt. 1, m 34 d;

20 Feb. Void.)

Lib. of abbot of Peterborough

28 pt. 1, m 22 d; 20 June.

‡ Brugge, Brugges, Roger de

Worcester

28 pt. 1, m 22 d; 18 May; *ibid.*, 1 July.

30 pt. 1, m 17 d; 1 April.

Bruggeford, John de

Town of Nottingham

30 pt. 1, m 17 d; 25 May.

Bruyn, John (de), (le)

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).
28 pt. 2, m 13 d; 2 July.

Warwick

L. & P. 25 pt. 1, m 15 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 20 April.

Bruys, Robert

Lib. of Pickering and wap. of Rydale, N. R.
30 pt. 3, m 17 d; 30 Oct.

Buketot, Philip (de)

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).
L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Bures, Andrew de

Suffolk

24 pt. 3, m 10 d; 18 Nov.
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d; 14 May.
29 pt. 2, m 8 d; 20 Dec. (his place is taken
by M. de Bures and T. Morieux; 30 pt.
1, m 17 d; 13 Oct.).

‡ Bures, Michael de

Suffolk

30 pt. 1, m 17 d; 13 Oct. (with T. Morieux in place
of A. de Bures).

Brughbrigg, John, son of Nicholas de

Lib. of Knaresborough of Queen Philippa
30 pt. 1, m 17 d; 26 July.

Burnel, Nicholas

Shropshire

L. & P. 26 pt. 1, m 9 d; 15 May.

‡ Burton, William (de), (of Burton)

Rutland

28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 12 July.

- York, E. R.
 30 pt. 1, m 17 d; 12 May (assoc.).
 32 pt. 1, m 34 d; 8 Feb. (in place of Robert de Hal-
 denby).
 33 pt. 1, m 27 d; 6 April (assoc.).
 Wap. of Herthill and Hovedenshire, E. R.
 29 pt. 1, m 28 d; 6 March (30th year; assoc.).
- Burwell, John de
 Cambridge
 L. & P. Claus. 25 m. 16; 12 July (writ for wages).
- ‡ Bussy, John, of Lavyngton
 Holland and Kesteven (Linc.)
 L. & P. 24 pt. 1, m 23 d; 20 Feb.
 Kesteven (Linc.)
 L. & P. 25 pt. 1, m 14 d; 15 March.
 27 pt. 1, m 24 d; 4 May.
 28 pt. 1, m 22 d; 8 May.
 29 pt. 2, m 8 d; 20 Dec.
- Bustiler, Robert
 Cambridge
 L. & P. 24 pt. 1, m 23 d; 20 Feb.
- Butetourt, Buttetourt. *See* Botetourt.
- Byngham, William de
 Notts.
 L. & P. 25 pt. 1, m 13 d; 12 Feb. (27th year;
 assoc.).
- Byntre, Walter de
 Suffolk
 28 pt. 1, m 22 d; 14 May.
- Carbonel, William
 Suffolk
 24 pt. 3, m 10 d; 18 Nov.
 L. & P. 25 pt. 1, m 14 d; 15 March.
- Careles, William
 Palatinate of Lancaster
 (Referred to) Duchy of Lanc., Chanc. Rolls, ii, no.
 19 d; 3 May, 6 duke Henry (in assoc. of R. de
 Singleton).

- ‡ Carrue, Nicholas de
Surrey
29 pt. 2, m 8 d; 20 Dec.
- ‡ Cary, Thomas
Dorset
28 pt. 2, m 13 d; 20 Jan.
- ‡ Catesby, William de
Warwick
L. & P. 25 pt. 1, m 13 d; 20 June (assoc.).
28 pt. 1, m 22 d; 18 May.
- ‡ Causton, Robert de, (knight)
Norfolk
28 pt. 1, m 22 d; 26 June.
Lib. of bishop of Ely
32 pt. 1, m 34 d; 14 July.
- † ‡ Cavendissh, John de
Essex
L. & P. 25 pt. 1, m 15 d; 15 March.
27 pt. 1, m 24 d; 3 June.
- Suffolk
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d; 14 May.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
- Caynton, William de
Shropshire
28 pt. 1, m 22 d; 20 June.
- Cecill, William, of Howden
Bishop of Durham's Lib. of Howden
30 pt. 1, m 17 d; 12 Oct.
- ‡ Chabham, Thomas de
Essex
27 pt. 1, m 24 d; 3 June.
- ‡ Charnels, John
Leicester
28 pt. 2, m 13 d; 20 Oct.

Charnels, Nicholas

Warwick

30 pt. 3, m 17 d; 8 Nov.

‡ Chasteleyn, Gilbert

Oxford

L. & P. 26 pt. 1, m 8 d; 3 May (assoc. with Guy
Brian in place of J. de Grey and J. Golafre).

Southampton

30 pt. 1, m 17 d; 16 Oct.

Warwick

L. & P. 25 pt. 1, m 15 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 20 April.

Worcester

L. & P. 26 pt. 1, m 9 d; 2 July.

27 pt. 1, m 24 d; 12 Feb.

28 pt. 1, m 22 d; 18 May; *ibid.*, 1 July.

Lib. of Holderness

29 pt. 1, m 28 d; 1 March.

‡ Chastilleyn, Hugh

Bucks.

33 pt. 1, m 27 d; 4 May.

Chastilloun, John

Bucks.

L. P. 24 pt. 1, m 23 d; 20 Feb.

‡ Chaumont, Chaumon, John (de), (knight)

York, W. R.

30 pt. 3, m 17 d; 26 Oct. (assoc.).

32 pt. 1, m 34 d; 16 July.

33 pt. 1, m 27 d; 28 May.

Wap. of Ainsty, Barkston and Claro, W. R.

28 pt. 1, m 22 d; 2 July (*ibid.*, 20 Jan.; his place is
taken by John de Shirburn, "quibusdam certis de
causis").

29 pt. 1, m 28 d; 15 May.

Lib. of duke of Lancaster in W. R.

30 pt. 1, m 17 d; 16 Oct.

Chaundos, Roger

Hereford

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Chaworth, Thomas de, the elder

Leicester

28 pt. 1, m 22 d; 18 Feb.

29 pt. 2, m 8 d; 1 Aug.

‡ Chelereye, Edmund

Lib. of abbot of Reading

29 pt. 3, m 4 d; 12 Jan.

Cherleton, John de

Shropshire

28 pt. 1, m 22 d; 20 June.

‡ Chesterton, Robert de

Lib. of Queen Isabel in towns of Cambridge and Chesterton

30 pt. 3, m 17 d; 10 July.

Chestre, John de

Stamford

L. & P. 25 pt. 1, m 14 d; 15 March.

Cheyne, Edmund de

Somerset

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Cheyny, John

Cambridge

31 pt. 1, m 20 d; 5 Feb.

‡ Chilterham, William de

Gloucester

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 3 Aug.

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

Hereford

L. & P. 25 pt. 1, m 14 d; 15 March.

Leicester

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Shropshire

L. & P. 25 pt. 1, m 14 d; 15 March.

- Stafford
ditto
Worcester
ditto
L. & P. 26 pt. 1, m 9 d; 20 April.
- ‡ Chilterne, John de
Herts.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
32 pt. 1, m 34 d; 16 May.
- ‡ Chiselden, Richard de
Devon
33 pt. 1, m 27 d; 9 Feb. (with W. de Braunkescombe
in place of T. de Crouthorn and W. de Luscombe).
- Chorley, William de, clerk
Palatinate of Lancaster
Duchy of Lanc., Chanc. Rolls, ii, no. 38 d; 26 April,
9 duke Henry.
- Cirgeaux, Richard (le pere)
Cornwall
29 pt. 2, m 8 d, 10 Dec.; *ibid.*, 20 Dec.
32 pt. 1, m 34 d; 20 Feb.
- ‡ Claymond, Cleymond, John
Holland (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d, 3 March (assoc.); *ibid.*, 8
May; *ibid.*, 2 July.
29 pt. 2, m 8 d; 20 Dec.
- ‡ Clere, Robert
Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 22 Nov.
28 pt. 1, m 22 d; 26 June.
(Except Lynn)
29 pt. 2, m 8 d; 30 Nov.

(Except Lynn)

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

‡ Clerk, Andrew

Grimsby

27 pt. 2, m 25 d; 15 Jan.

Clotherum, Clotherom, John de

Town and Lib. of Ripon of archbishop of York

28 pt. 1, m 22 d; 20 March

30 pt. 1, m 17 d; 28 April.

Clynton, Ivo de

Kent

L. & P. 25 pt. 1, m 13 d; 20 April (assoc.).

Clynton, William de, earl of Huntingdon

Kent

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Clyvedon, Edmund de

Somerset

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 1, m 22 d; 8 May.

30 pt. 1, m 17 d; 20 Oct.

31 pt. 1, m 20 d; 5 Feb.

32 pt. 1, m 34 d; 26 Jan.

Cobham, John de

Kent

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Codyngton, John de

Leicester

28 pt. 1, m 22 d; 2 July.

28 pt. 2, m 13 d; 20 Oct.

Coggeshale, John de

Essex

L. & P. 25 pt. 1, m 15 d; 15 March.

Cokayn, John

Derby

L. & P. 25 pt. 1, m 14 d; 15 March.

Palatinate of Lancaster

Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
duke Henry.

Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.

Ibid., ii, no. 38 d; 26 April, 9 duke Henry.

‡ Cokeseye, Cogeseye, Hugh de

Worcester

L. & P. 25 pt. 1, m 14 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 20 April; *ibid.*, 2 July.

27 pt. 2, m 25 d; 3 Aug.

28 pt. 1, m 22 d; 18 May; *ibid.*, 1 July.

29 pt. 2, m 8 d; 3 Dec.; *ibid.*, 20 Dec.

Colbrok, William de

Middlesex

28 pt. 1, m 22 d; 12 April (with J. de Tamworth in
place of R. atte Watre and J. de Munden).

‡ Colby, John de

Norfolk

28 pt. 1, m 22 d; 26 June.

(Except Lynn)

29 pt. 2, m 8 d; 30 Nov.

Coliere, Richard

Town of Nottingham

30 pt. 1, m 17 d; 25 May.

‡ Colvill, John

Norfolk

31 pt. 1, m 20 d; 5 Feb. ("certis de causis" . . . his
place is taken by R. de Eccles; 32 pt. 1, m 34 d;
4 July).

‡ Colvill, Robert de

Holland and Kesteven (Linc.)

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Kesteven (Linc.)

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 1, m 24 d; 4 May.

- ‡ Colvill, Coluyll, William de
 Holland and Kesteven (Linc.)
 L. & P. 24 pt. 1, m 23 d; 20 Feb.
 Kesteven (Linc.)
 L. & P. 25 pt. 1, m 14 d; 15 March.
 28 pt. 1, m 22 d; 8 May.
- Colyngburn, Roger de
 Prior of Bustleham's Lib. at Bustleham and elsewhere in
 Berks.
 30 pt. 1, m 17 d; 8 May.
- ‡ Conestable, Marmaduke
 York, E. R.
 L. & P. 25 pt. 1, m 14 d; 15 March.
 29 pt. 2, m 8 d; 20 Dec.
 Wap. of Herthill and Hovedenshire, E. R.
 28 pt. 1, m 22 d; 2 July.
- Conyngesby, John de
 Warwick
 31 pt. 1, m 20 d; 5 Feb.
- Cotyngnam, John de
 Lib. of St. Peter of York
 28 pt. 2, m 13 d; 8 Nov.
- ‡ Coudeshale, John de
 Lynn
 29 pt. 1, m 28 d; 20 July.
- Coupeland, John de
 Westmoreland
 L. & P. 25 pt. 1, m 14 d; 15 March.
- Courtenay, Hugh de, earl of Devon
 Devon
 L. & P. 25 pt. 1, m 14 d; 15 March.
- Cradelegh, Adam de
 Notts.
 L. & P. 25 pt. 1, m 13 d; 8 April (27th year; assoc.).
- Cranesle, John de
 Northants.
 L. & P. Claus. 25 m 16; 12 July (writ for wages).

‡ Croft, Hugh de

Hunts.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 1 Dec. (At his death his place is taken by R. de Elyngton; 28 pt. 3, m 15 d; 12 Nov.)

‡ Crouthorn, Thomas (de)

Devon

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

[Because he is infirm, his place and that of W. de Luscote (for other reasons) are taken by W. de Braunkescombe and R. de Chiselden; 33 pt. 1, m 27 d; 9 Feb.]

Croyser, William

Bedford

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Croxford, John de

Oxford

33 pt. 1, m 27 d; 28 May.

Cubeldik, Roger de

Holland (Linc.)

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Daber, Roger

Sussex

28 pt. 1, m 22 d; 20 June.

‡ Dabernoun, John

Cornwall

L. & P. 26 pt. 1, m 9 d; 15 July.

Devon

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 1, m 24 d; 20 July.

Exeter

30 pt. 3, m 17 d; 20 Nov.

Dalderby, Robert de, of Lincoln

City of Lincoln

30 pt. 1, m 17 d; 6 April.

‡ Dale, William de

Southampton

30 pt. 1, m 17 d; 16 Oct.

‡ Daneys, Dauneys, Roland

Rutland

L. & P. 25 pt. 1, m 14 d; 15 March.

28 pt. 2, m 13 d; 2 July.

29 pt. 1, m 28 d; 12 July.

‡ Daumarle, William

Devon

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 1, m 24 d; 20 July.

Dayncourt. *See* Deyncourt.

Dayvill, Adam de, of Laxton

Bishop of Durham's Lib. of Howden

30 pt. 1, m 17 d; 12 Oct.

Dayvill. *See* Deyvill.

‡ Debenham, Depenham, Gilbert de

Suffolk

24 pt. 3, m 10 d; 18 Nov.

L. & P. 25 pt. 1, m 14 d; 15 March ("quibusdam
. . . certis de causis . . . commissiones . . . duximus
revocandas;" Claus. 28 m. 29; 1 Feb.).

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

† ‡ Delves, John

Leicester

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Shropshire

L. & P. 25 pt. 1, m 14 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 15 May.

28 pt. 1, m 22 d; 20 June.

29 pt. 2, m 8 d; 20 Dec.

Stafford

L. & P. 25 pt. 1, m 14 d; 15 March.

Dene, William atte, of Wycombe

Wycombe

30 pt. 1, m 17 d; 20 March.

‡ Dengayn, Dengeyne, John

Hunts.

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 1 Dec.

Dersham, William de (iuxta Donewych)

Suffolk

28 pt. 1, m 22 d; 14 May.

29 pt. 2, m 8 d; 16 Feb. (30th year; assoc.).

(Repeated) 30 pt. 1, m 19 d; 16 Feb.

Derwentewater, John de

Westmoreland

L. & P. 25 pt. 1, m 14 d; 15 March.

Deschalers, Thomas

Cambridge

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Devon, earl of. *See* Courtenay.

‡ Deyncourt, Dayncourt, William

Notts.

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 2, m 13 d; 2 July.

29 pt. 1, m 28 d; 26 Jan.

29 pt. 2, m 8 d; 1 Aug.

‡ Deyvill, Dayvill, de Eyvill, John, (of Tokwyth)

York, W. R.

30 pt. 3, m 17 d; 26 Oct. (assoc.).

32 pt. 1, m 34 d; 16 July.

33 pt. 1, m 27 d; 28 May.

Wap. of Ainsty, Barkston and Claro, W. R.

28 pt. 1, m 22 d; 2 July.

29 pt. 1, m 28 d; 15 May.

Disny, William

Holland and Kesteven (Linc.)

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Ditton, Benedict de

Essex

27 pt. 2, m 25 d; 22 Jan. (with Goldyngham in place of Tyrel).

Doily, Thomas

Bucks.

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

‡ Drewe, Geoffrey

Lynn

29 pt. 1, m 28 d; 20 July.

Duxfeld, Gilbert

Newcastle-on-Tyne

L. & P. 26 pt. 1, m 28 d; 8 Feb.

Dyk, Reginald de

Lib. of archbishop of Canterbury in Kent

30 pt. 1, m 17 d; 16 Sept.

Dynelay, John de

Lib. of duke of Lancaster in York, W. R.

30 pt. 1, m 17 d; 16 Oct.

‡ Eccles, Reginald de

Norfolk

L. & P. 25 pt. 1, m 13 d; 20 Nov. (assoc.).

27 pt. 2, m 25 d; 22 Nov.

28 pt. 1, m 22 d; 10 July (assoc.).

32 pt. 1, m 34 d; 4 July (in place of John Colvill).

‡ Eleford, Elleford, Robert de

Cornwall

L. & P. 26 pt. 1, m 9 d; 15 July.

28 pt. 2, m 13 d; 16 Dec.

Exeter

30 pt. 3, m 17 d; 20 Nov.

‡ Eleford, Elford, Elleford, Thomas (de)

Oxford

29 pt. 2, m 8 d; 2 Dec. (in place of John de Laundels).

(Repeated: no date. 20 Dec. Orig.)

Manors and towns of Duchy of Cornwall in various counties

30 pt. 1, m 17 d; 26 March.

Elkyngton, Robert de

Holland (Linc.)

28 pt. 1, m 22 d; 8 May.

Lindsey (Linc.)

28 pt. 1, m 22 d; 8 May.

29 pt. 2, m 8 d; 1 Dec.

Manors, etc., of duke of Lancaster in Lincolnshire

30 pt. 1, m 17 d; 8 July.

‡ Ellesfeld, Gilbert de

Herts.

29 pt. 1, m 28 d; 21 March.

‡ Elstede, Elsted, Robert de

Sussex

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 1, m 22 d; 20 June.

Elyngton, Roger de

Hunts.

28 pt. 3, m 15 d; 12 Nov. (in place of Hugh de Croft who is dead).

‡ Elys, John, (of Thame)

Bucks.

31 pt. 1, m 20 d; 5 Feb.

33 pt. 1, m 27 d; 4 May.

Oxford

28 pt. 2, m 13 d; 2 July.

29 pt. 2, m 8 d; 1 Aug. (repeated: no date. 20 Dec. Orig.)

31 pt. 1, m 20 d; 5 Feb.

33 pt. 1, m 27 d; 28 May.

‡ Estbury, John de

Southampton

30 pt. 1, m 17 d; 16 Oct.

‡ Estfeld, William de, (of Tykhull)

York, W. R.

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 1, m 24 d; 3 July.

‡ Estham, Richard de

Worcester

30 pt. 1, m 17 d; 1 April.

31 pt. 1, m 20 d; 20 Nov. (assoc.).

32 pt. 1, m 34 d; 15 Dec.

‡ Eston, John de

Northants.

L. & P. 25 pt. 1, m 13 d; 8 Nov. (assoc.).

30 pt. 1, m 17 d; 26 March.

‡ Eston, Roger de

Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.

28 pt. 1, m 22 d; 10 Feb.

County of Richmond

28 pt. 1, m 22 d; 10 Feb.

‡ Everard, John

Wilts.

L. & P. 25 pt. 1, m 13 d; 28 May (assoc.).

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

31 pt. 1, m 20 d; 5 Feb.

Everynham, Adam de, of Rokeleye

York, W. R.

L. & P. 25 pt. 1, m 14 d; 15 March (repeated: 20 May.)

Eyvill, de. *See* Deyvill.

Fairfax, William

York, W. R.

32 pt. 1, m 34 d; 3 Nov. (assoc.).

Faryngton, Roger de

Palatinate of Lancaster

Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5 duke Henry.

Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.

Ibid., ii, no. 38 d; 26 April, 9 duke Henry.

- ‡ Faucomberge, Fauconberge, John de
 Lib. of Holderness
 L. & P. 26 pt. 1, m 21 d; 20 Feb.
 28 pt. 1, m 22 d; 2 July.
- ‡ Felton, William de
 Northumberland
 L. & P. 25 pt. 1, m 14 d; 15 March.
 29 pt. 2, m 8 d; 20 Dec. Void.
- † ‡ Fencotes, Thomas de
 Cumberland
 L. & P. 25 pt. 1, m 14 d; 15 March.
 Lancashire
 24 pt. 3, m 13 d; 20 Oct.
 Northumberland
 L. & P. 25 pt. 1, m 14 d; 15 March.
 Westmoreland
 ditto
 York, E. R.
 ditto
 York, N. R.
 ditto
 Beverley
 L. & P. 26 pt. 2, m 20 d; 25 June.
 27 pt. 2, m 25 d; 25 Aug.
 County of Richmond
 28 pt. 1, m 22 d; 10 Feb.
- Fenton, John de, the younger
 Town and Lib. of Ripon
 28 pt. 1, m 22 d; 20 March.
- Fenton, William de, (master)
 York, W. R.
 27 pt. 1, m 24 d; 3 July.
 Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.
 28 pt. 1, m 22 d; 10 Feb.
 Wap. of Ainsty, Barkston and Claro, W. R.
 28 pt. 1, m 22 d; 2 July
 Town and Lib. of Ripon
 28 pt. 1, m 22 d; 20 March.

- Fenwyk, John de
Northumberland
L. & P. 25 pt. 1, m 14 d; 15 March.
- ‡ Ferers, Ferrers, Ralph de
Leicester
L. & P. 25 pt. 1, m 13 d; 27 Oct. (assoc.).
28 pt. 1, m 22 d; 2 July.
- ‡ Feriby, John de
Beverley
27 pt. 2, m 25 d; 25 Aug.
Lib. of St. Peter of York
28 pt. 2, m 13 d; 8 Nov.
- Ferumbauid, Thomas
Bucks.
L. & P. 25 pt. 1, m 13 d; 27 Nov. (assoc.).
- ‡ Fifhide, Fifide, William (de)
Southampton
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 2, m 8 d; no date. 20 Dec. Orig.
- Sussex
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 1, m 22 d; 20 June.
30 pt. 1, m 17 d; 12 March.
31 pt. 1, m 20 d; 5 Feb.
- ‡ Fillilod, William de
Lib. of Holderness
29 pt. 1, m 28 d; 26 June (assoc.).
- ‡ Fitz Alan, Richard, earl of Arundel
Shropshire
L. & P. 25 pt. 1, m 14 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 15 May.
- Sussex
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 1, m 22 d; 20 June.
30 pt. 1, m 17 d; 12 March.
31 pt. 1, m 20 d; 5 Feb.

‡ Fitz James, Thomas

Somerset

30 pt. 1, m 17 d; 20 Oct.

31 pt. 1, m 20 d; 5 Feb.

32 pt. 1, m 34 d; 26 Jan.

Fitz Payn, Robert

Dorset

(Referred to) L. & P., 24 Edw. III, Mem. L. T. R.,

31, Hill., Recorda, rot. 9.

L. & P. 25 pt. 1, m 15 d; 15 March.

Fitz Symond, Hugh

Herts.

L. & P. 25 pt. 1, m 15 d; 15 March.

Fitz Waryn, William

Berks.

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Flemmyng, Alan

Newark

30 pt. 1, m 17 d; 27 May.

Foljambe, Godfrey

Derby

31 pt. 1, m 20 d; 5 Feb.

‡ Folvill, Folevill, John de

Leicester

L. & P. 25 pt. 1, m 14 d; 15 March.

(For reference to his removal, see Pakeman.)

28 pt. 1, m. 22 d; 18 Feb.

Forster, Reginald

Surrey

County Placita, no. 8, spring of 24 Edw. III; app.,

C, 2.

‡ Foucher, John

Derby

31 pt. 1, m 20 d; 5 Feb.

Newark

30 pt. 1, m 17 d; 27 May.

Fraunceys, Adam

London

31 pt. 1, m 20 d; 1 Aug.

‡ Fraunceys, Robert

Derby

30 pt. 1, m 17 d; 10 March; *ibid.*, 12 July.

‡ Frebern, Richard

Coventry

28 pt. 1, m 22 d, 28 Feb.; *ibid.*, 28 June.

Frenyngham, Ralph de, (knight)

Kent

31 pt. 1, m 20 d; 5 Feb.

Lib. of archbishop of Canterbury in Kent

30 pt. 1, m 17 d; 16 Sept.

Frere, John, of Doncaster

York, N. R.

31 pt. 1, m 20 d; 5 Feb.

Fresel, Thomas

Bucks.

33 pt. 1, m 27 d; 4 May.

Freysel, Froyssel, Richard

Suffolk

24 pt. 3, m 10 d; 18 Nov.

L. & P. 25 pt. 1, m 14 d; 15 March.

Frivill, John de

Cambridge

L. & P. 24 pt. 1, m 23 d; 20 Feb.

‡ Frome, William de

Hereford

L. & P. 25 pt. 1, m 14 d; 15 March.

29 pt. 2, m 8 d, 2 Oct.; *ibid.*, 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

‡ Frost, Thomas, (of Beverley)

Beverley

L. & P. 26 pt. 2, m 20 d; 25 June.

27 pt. 2, m 25 d; 25 Aug.

‡ Frowyk, Thomas de

Middlesex

L. & P. 25 pt. 1, m 14 d; 15 March.

Frylond, John

Lib. of abbot of Reading

29 pt. 3, m 4 d; 12 Jan.

‡ Fulthorp, John de

York, N. R.

31 pt. 1, m 20 d; 5 Feb.; *ibid.*, 26 Nov.

33 pt. 1, m 27 d; 12 Sept.

† ‡ Fyncheden, William de, (the younger)

Notts.

30 pt. 1, m 17 d; 3 June (assoc.).

York, W. R.

L. & P. 25 pt. 1, m 14 d; 15 March (repeated: 20 May.)

27 pt. 1, m 24 d; 3 July.

29 pt. 2, m 8 d; 20 Dec.

Wap. of Ainsty, Barkston and Claro, W. R.

28 pt. 1, m 22 d; 2 July.

29 pt. 1, m 28 d; 15 May.

Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.

28 pt. 1, m 22 d; 10 Feb.

Retford-in-the-Clay

27 pt. 1, m 24 d; 20 June.

Lib. of duke of Lancaster, in York, W. R.

30 pt. 1, m 17 d; 16 Oct.

‡ Gaddesby, Richard de

Leicester

32 pt. 1, m 34 d; 16 Feb.

‡ Gaunt, John (de)

Lindsey (Linc.)

28 pt. 1, m 22 d; 3 July.

City of Lincoln

30 pt. 1, m 17 d; 6 April.

Manors, etc., of duke of Lancaster in Lincolnshire

30 pt. 1, m 17 d; 8 July.

Gervays, Thomas

Wycombe

30 pt. 1, m 17 d; 20 March.

Manors and towns of Duchy of Cornwall in various counties.

30 pt. 1, m 17 d; 26 March.

Prior of Bustlesham's Lib. of Bustlesham and elsewhere in Berks.

30 pt. 1, m 17 d; 8 May.

Giffard, John (le Boef)

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).

L. & P. 25 pt. 1, m 15 d; 15 March.

Gillyng, Richard de

Lib. of St. Peter of York

28 pt. 2, m 13 d; 8 Nov.

Gist, John

Exeter

30 pt. 3, m 17 d; 20 Nov.

Godhestre, Godester, Godestre, Roger (de)

Kent

28 pt. 2, m 13 d; 26 Sept.

29 pt. 2, m 8 d; 20 Oct.

Lib. of archbishop of Canterbury in Kent

30 pt. 1, m 17 d; 16 Sept.

Manors, etc., of duke of Lancaster in Kent, Essex, Sussex and Midd.

30 pt. 3, m 22 d; 28 Oct.

Golafre, John

Oxford

L. & P. 25 pt. 1, m 14 d; 15 March.

("Nos certis de causis coram consilio . . . ab officio . . . duximus exonerandum . . ."; 26 pt. 1, m 8 d; 3 May. J. de Grey likewise; their places taken by G. de Brian and G. Chasteleyn.)

‡ Goldsmyth, William

Town of Leicester

30 pt. 3, m 17 d; 16 Nov.

Goldyng, John, of Beverley

Beverley

L. & P. 26 pt. 2, m 20 d; 25 June.

Goldyngham, John de, (knight)

Essex

L. & P. 25 pt. 1, m 15 d; 15 March.

27 pt. 2, m 25 d; 22 Jan. (with Ditton in
place of Tyrel).

Gosenargh, Thomas de

Lancashire

24 pt. 3, m 13 d; 20 Oct.

Gosynton, William

Lib. of Leominster of abbot of Reading

30 pt. 1, m 17 d; 1 May.

‡ Gour, John

Hereford

32 pt. 1, m 34 d; 8 March (assoc.).

Lib. of Leominster of abbot of Reading

30 pt. 1, m 17 d; 1 May.

‡ Gower, Nicholas

York, N. R.

L. & P. 25 pt. 1, m 14 d; 15 March.

29 pt. 2, m 8 d; 20 Dec.

30 pt. 1, m 17 d; 12 July.

Wap. of Allerton, Birdforth and Richmond, N. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Bulmer and Rydale, N. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Cleveland and Pickering, N. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Herthill and Hovedenshire, E. R.

(Referred to) 28 pt. 2, m 13 d; 12 Oct. (in assoc. of
T. de Metham).

Scarborough

29 pt. 1, m 28 d; 4 July.

‡ Grandissono, Otto de

Kent

L. & P. 25 pt. 1, m 15 d; 15 March.
 28 pt. 2, m 13 d; 26 Sept. (repeated).
 29 pt. 2, m 8 d; 20 Oct. (repeated: no date.
 20 Dec. Orig.)

Grandissono, Peter de

Hereford

L. & P. 25 pt. 1, m 14 d; 15 March.

Grave, John de la

Essex

L. & P. 25 pt. 1, m 15 d; 15 March.
 28 pt. 1, m 22 d; 2 July.

Gray, Thomas

Palatinate of Durham; wards of Chester, Darlington,
 Stockton and Easington, and wapentake of Sadberg.
 Cursitors' Records, 30, rot. 1, Hatfield, m. 5 d, no. 6;
 15 June, 5th year.

† ‡ Grene, Henry (de)

Essex

L. & P. 25 pt. 1, m 15 d; 15 March.

Herts.

ditto

Kent

ditto

Northants.

L. & P. 25 pt. 1, m 14 d; 15 March.
 27 pt. 2, m 25 d; 26 Nov.
 28 pt. 1, m 22 d; 26 April.
 28 pt. 2, m 13 d; 26 Nov.
 29 pt. 1, m 28 d; 26 April.
 29 pt. 2, m 8 d; 1 Aug.; *ibid.*, 20 Dec.
 30 pt. 1, m 17 d; 26 March.

Surrey

L. & P. 25 pt. 1, m 15 d; 15 March.

Sussex

ditto

Lib. of abbot of Peterborough
28 pt. 1, m 22 d; 20 June.

Grey, John de, of Codenore
Derby

L. & P. 25 pt. 1, m 14 d; 15 March.

Grey, John de, of Rotherfield
Oxford

L. & P. 25 pt. 1, m 14 d; 15 March.

("Nos certis de causis coram consilio . . ab
officio duximus exonerandum . . .;" 26 pt. 1, m
8 d; 3 May. J. Golafre likewise. Their places
taken by G. de Brian and G. Chasteleyn.)

‡ Grey, Ralph de
Berks.

L. & P. 25 pt. 1, m 14 d; 15 March.
26 pt. 3, m 4 d; 1 Jan.
31 pt. 1, m 20 d; 5 Feb.
33 pt. 1, m 27 d; 4 Aug.

‡ Grey, Gray, Greye, Richard (de), of Landford
Derby

L. & P. 25 pt. 1, m 13 d; 15 July (assoc.).
28 pt. 2, m 13 d; 2 July.

Leicester

L. & P. 25 pt. 1, m 13 d; 15 July (assoc.).

Holland and Kesteven (Linc.)

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Kesteven (Linc.)

L. & P. 25 pt. 1, m 13 d; 18 July (assoc.).

Lindsey (Linc.)

L. & P. 25 pt. 1, m 13 d; 18 July (assoc.).

Notts.

L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 2, m 8 d; 1 Aug.; *ibid.*, 20 Dec.
30 pt. 1, m 17 d; 15 April.

- York, W. R.
 L. & P. 25 pt. 1, m 13 d; 18 July (assoc.).
 Retford-in-the-Clay
 27 pt. 1, m 24 d; 20 June.
- Grey, Greye, Roger de
 Bedford
 L. & P. 24 pt. 1, m 23 d; 20 Feb.
 L. & P. 25 pt. 1, m 15 d; 15 March.
- ‡ Grey, William de, of Sandyacre
 Derby
 30 pt. 3, m 17 d; 11 Dec.
- Grete, Groete, Groot, Peter (de)
 Worcester
 L. & P. 25 pt. 1, m 14 d; 15 March.
 L. & P. 26 pt. 1, m 9 d; 20 April; *ibid.*, 2 July.
- Grove, John atte
 Essex
 27 pt. 2, m 25 d; 8 Nov.
 29 pt. 2, m 8 d; 28 Aug.; *ibid.*, 20 Dec.
- ‡ Grymmesby, Peter de
 Lib. of Holderness
 L. & P. 26 pt. 1, m 8 d; 20 April (27th year; assoc.).
 29 pt. 1, m 28 d; 1 March.
- York, E. R.
 32 pt. 1, m 34 d; 20 Nov.
- Gyenne, Robert
 Somerset
 L. & P. 25 pt. 1, m 13 d; 2 May (assoc.).
- ‡ Hadresham, John de
 Surrey
 28 pt. 1, m 22 d; 20 June.
 Lib. of abbot of Battle
 Assize Roll, 907, Surrey; 27 Edw. III; app. C, 1.
- Hagh, John de
 Holland (Linc.)
 29 pt. 1, m 28 d; 7 July (30th year; assoc.).

Haket, Thomas

Isle of Wight

31 pt. 1, m 20 d; 5 Feb.

Haldenby, Robert de

York, E. R.

31 pt. 1, m 20 d; 5 Feb.

("Certis de causis coram nobis et consilio nostro propositis . . . , " his place is taken by W. de Burton; 32 pt. 1, m 34 d; 8 Feb.)

‡ Hale, John de la, knight

Dorset

33 pt. 1, m 27 d; 18 May.

Halsale, Oto de

Palatinate of Lancaster

Duchy of Lanc., Chanc. Rolls, ii, no. 38 d; 26 April,
9 duke Henry.

Halsham, Robert de

Sussex

L. & P. 25 pt. 1, m 15 d; 15 March.

30 pt. 1, m 17 d; 12 March.

31 pt. 1, m 20 d; 5 Feb.

‡ Hamby, Geoffrey de

Kingston-on-Hull

L. & P. 26 pt. 1, m 15 d; 15 Feb.

27 pt. 1, m 24 d; 12 Feb.

‡ Hamden, Hammeden, John de

Bucks.

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

31 pt. 1, m 20 d; 5 Feb.

Hardy, William

Hospital of St. Leonard of York

30 pt. 1, m 17 d; 20 July.

‡ Harewedon, Haroughdon, Harwedon, John de

Hunts.

31 pt. 1, m 20 d; 3 Nov. (in place of John de Styuecle, who has died).

Northants.

- L. & P. 25 pt. 1, m 14 d; 15 March.
 27 pt. 2, m 25 d; 26 Nov.
 28 pt. 1, m 22 d; 26 April.
 28 pt. 2, m 13 d; 26 Nov.
 29 pt. 1, m 28 d; 26 April.
 29 pt. 2, m 8 d; 1 Oct. (assoc.).

Lib. of abbot of Peterborough

- 28 pt. 1, m 22 d; 20 June.

Harewedon, William de

Northants.

- 31 pt. 1, m 20 d; 5 Feb.
 32 pt. 1, m 34 d; 28 Nov.

Haryngton, Haveryngton, John de, (Luncle)

Cumberland

- L. & P. 25 pt. 1, m 14 d; 15 March.

Lancashire

- 24 pt. 3, m 13 d; 20 Oct.

Palatinate of Lancaster

- Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
 duke Henry.

Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.

Haryngton, Roger de

Lancashire

- 24 pt. 3, m 13 d; 20 Oct.

Hatton, William de

Herts.

- 29 pt. 1, m 28 d; 21 March.
 29 pt. 2, m 8 d; 30 Nov.; *ibid.*, 20 Dec.
 31 pt. 1, m 20 d; 5 Feb.
 32 pt. 1, m 34 d; 16 May.
 33 pt. 1, m 27 d; 10 Aug.

Middlesex

- 29 pt. 2, m 8 d; 1 Oct.; *ibid.*, 20 Dec.
 31 pt. 1, m 20 d; 5 Feb.

‡ Hauberk, Lawrence

Leicester

28 pt. 1, m 22 d; 18 Feb.; *ibid.*, 2 July.

28 pt. 2, m 13 d; 20 Oct.

29 pt. 2, m 8 d; 1 Aug.

Haydok, Gilbert de

Lancashire

24 pt. 3, m 13 d; 20 Oct.

Heppescotes, William de

Northumberland

31 pt. 1, m 20 d; 5 Feb.

Herdewyk, John de

Oxford

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Herlaston, Roger de

Lib. of Queen Isabel in towns of Cambridge & Chesterton

30 pt. 3, m 17 d; 10 July

‡ Herle, Robert de

Leicester

28 pt. 2, m 13 d; 20 Oct.

Hevenyngham, John de

Essex

L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).

† ‡ Hillary, Roger

Gloucester

L. & P. 25 pt. 1, m 14 d; 15 March.

Hereford

ditto

Leicester

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Shropshire

L. & P. 25 pt. 1, m 14 d; 15 March (non).

L. & P. 26 pt. 1, m 9 d; 15 May.

Stafford

L. & P. 25 pt. 1, m 14 d; 15 March.

29 pt. 1, m 28 d; 16 May.

29 pt. 2, m 8 d; 2 Nov.; *ibid.*, 20 Dec.

(By 26 Oct., 30th year, he has died, and his place is taken by R. de Bowode; 30 pt. 1, m 17 d.)

Worcester

L. & P. 25 pt. 1, m 14 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 20 April; *ibid.*, 2 July.

‡ Hilton, Robert de

Lib. of Holderness

L. & P. 26 pt. 1, m 8 d; 20 May (in place of J. de Sutton).

28 pt. 1, m 22 d; 2 July.

Hoghton, Adam de

Lancashire

24 pt. 3, m 13 d; 20 Oct.

Hoke, John

Lib. of archbishop of Canterbury in Kent

30 pt. 1, m 17 d; 16 Sept.

‡ Holand, Robert de

Northants.

28 pt. 2, m 13 d; 25 July.

(Vacat quia restitute sunt.)

Homptone, Thomas de

Lib. of Leominster of abbot of Reading

30 pt. 1, m 17 d; 1 May.

Hopton, Adam de

York, W. R.

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Hopton, Walter de

Shropshire

L. & P. 25 pt. 1, m 14 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 15 May.

28 pt. 1, m 22 d; 20 June.

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

‡ Hopwell, Roger de

Town of Nottingham

30 pt. 1, m 17 d; 25 May.

‡ Horwode, Horewod, Horewode, William de, of Cambridge,
(mayor)

Cambridge

L. & P. 25 pt. 1, m 13 d; 3 Nov. (assoc.).
27 pt. 2, m 25 d; 15 Dec. (assoc.).
30 pt. 1, m 17 d; 20 May (assoc.).

Hoton, Richard de

Cumberland

29 pt. 2, m 8 d, 30 Nov.; *ibid.*, 20 Dec.
31 pt. 1, m 20 d; 5 Feb.

Houel, John

Essex

Assize Roll, 267; for 24 Edw. III; app., D, 1.

House, John atte

Essex

L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).

Hubert, Thomas

Essex

L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).
("Quibusdam . . certis de causis coram con-
silio nostro propositis, te ab officio illo duximus
amovendum . . ." Claus. 26 m. 2; 10 Jan.)

Huddeswell, William de

York, N. R.

31 pt. 1, m 20 d; 26 Nov.

‡ Hugon, Huguyn, John

Somerset

28 pt. 1, m 22 d; 8 May.
29 pt. 2, m 8 d; 20 Dec.

‡ Humbercolt, Thomas

Beverley

L. & P. 26 pt. 2, m 20 d; 25 June.
27 pt. 2, m 25 d; 25 Aug.

Hungerford, Walter de

Wilts.

L. & P. 25 pt. 1, m 13 d; 28 May (assoc.).

Hungerford, Thomas de
Wilts.

27 pt. 1, m 24 d; 27 May.

‡ Hunt, Hunte, Theobald le
Rutland

29 pt. 1, m 28 d; 12 July.

29 pt. 2, m 8 d; 20 Dec.

Huntingdon, earl of. *See* Clynton.

‡ Huse, Husee, Roger
Surrey

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 1, m 22 d; 20 June.

† Husee, James
Somerset

L. & P. Claus. 25 m. 16; 12 July (writ for wages).

L. & P. Claus. 26 m. 16; 1 May (writ for wages).

32 pt. 1, m 34 d; 26 Jan.

‡ Hynton, Osbert de
Town of Huntingdon

28 pt. 2, m 13 d; 20 Jan.

29 pt. 1, m 28 d; 20 June.

† ‡ Ingelby, Thomas de
York, N. R.

29 pt. 2, m 8 d; 20 Dec.

30 pt. 1, m 17 d; 12 July.

Wap. of Ainsty, Barkston and Claro, W. R.

28 pt. 1, m 22 d; 2 July.

29 pt. 1, m 28 d; 15 May.

Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.

28 pt. 1, m 22 d; 10 Feb.

Lib. of abbot of St. Mary of York

29 pt. 1, m 28 d; 20 June.

‡ Inkepenn, Inkepenne, John
Southampton

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 2, m 13 d; 2 July.

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

31 pt. 1, m 20 d; 5 Feb.

Isle, John del, of Kent

Cambridge

L. & P. 24 pt. 1, m 23 d; 20 Feb.

James, John

Cinque Ports

32 pt. 1, m 34 d; 20 Oct.

Kegworth, Keggeworth, Robert de

Leicester

L. & P. 25 pt. 1, m 13 d; 27 Oct. (assoc.).

31 pt. 1, m 20 d; 5 Feb.

32 pt. 1, m 34 d; 16 Feb.

‡ Kegworth, Keggeworth, Simon (de)

Kent

28 pt. 2, m 13 d; 26 Sept. (repeated).

29 pt. 2, m 8 d; 20 Oct.

Leicester

L. & P. 25 pt. 1, m 13 d; 27 Oct. (assoc.).

Kelby, Walter de, of Lincoln

City of Lincoln

L. & P. 25 pt. 1, m 19 d; 27 March.

30 pt. 1, m 17 d; 6 April.

† ‡ Kelleshull, Richard de

Bedford

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 15 d; 15 March.

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).

L. & P. 25 pt. 1, m 15 d; 15 March.

Cambridge

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 15 d; 15 March.

27 pt. 2, m 25 d; 3 Nov.

29 pt. 2, m 8 d; 20 Dec.

Hunts.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 14 d; 15 March.

Norfolk

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 14 d; 15 March.

Suffolk

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Kendale, Edward de

Herts.

L. & P. 25 pt. 1, m 15 d; 15 March.

29 pt. 1, m 28 d; 21 March.

Kerdeston, William de

Norfolk

L. & P. 24 pt. 1, m 23 d; 20 Feb.

‡ Kerseye, Kereseye, Henry (de)

Berks.

33 pt. 1, m 27 d; 4 Aug.

Lib. of abbot of Reading

29 pt. 3, m 4 d; 12 Jan.

Kirketon, John de

Lindsey (Linc.)

L. & P. 25 pt. 1, m 13 d; 10 July (assoc.).

‡ Knyghton, John de

Northants.

28 pt. 2, m 13 d; 26 Nov.

29 pt. 1, m 28 d; 26 April.

† ‡ Knyvet, John

Northants.

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 26 Nov.

Lib. of abbot of Peterborough

28 pt. 1, m 22 d; 20 June.

Knyvet, Richard

Rutland

L. & P. 25 pt. 1, m 14 d; 15 March.

Stamford

L. & P. 25 pt. 1, m 14 d; 15 March.

Langeford, Nicholas de

Derby

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Langele, Langeleye, Thomas de

Kent

31 pt. 1, m 20 d; 5 Feb.

Oxford

L. & P. 25 pt. 1, m 14 d; 15 March.

26 pt. 3, m 4 d; 1 Jan.

28 pt. 2, m 13 d; 2 July.

29 pt. 2, m 8 d; 1 Aug. (repeated: no date.

20 Dec. Orig.)

31 pt. 1, m 20 d; 5 Feb.

33 pt. 1, m 27 d; 28 May.

Langele, William de

Kent

31 pt. 1, m 20 d; 5 Feb.

Langeton, Thomas de

Bedford

30 pt. 1, m 17 d; 6 July (assoc.).

Lanum, John de

Notts.

31 pt. 1, m 20 d; 5 Feb. (repeated).

Southwell

30 pt. 1, m 17 d; 30 May; *ibid.*, 15 July.

Lascels, John

Lib. of abbot of St. Mary of York

29 pt. 1, m 28 d; 20 June.

‡ Lasyncroft, Laysyncroft, John de

York, N. R.

33 pt. 1, m 27 d; 12 Sept.

York, W. R.

30 pt. 3, m 17 d; 26 Oct. (assoc.).

Lib. of duke of Lancaster in York, W. R.

30 pt. 1, m 17 d; 16 Oct.

Lathum, Thomas de

Lancashire

24 pt. 3, m 13 d; 20 Oct.

Launde, Thomas de la

Holland (Linc.)

33 pt. 1, m 27 d; 18 Feb. (assoc. with R. de Meres
in place of W. de Surflet).

33 pt. 1, m 27 d; 26 March.

‡ Laundels, Laundeles, John (de)

Berks.

26 pt. 3, m 4 d; 1 Jan.

Oxford

26 pt. 3, m 4 d; 1 Jan.

28 pt. 2, m 13 d; 2 July.

29 pt. 2, m 8 d; 1 Aug.

(Made sheriff of Oxford and Berks.; there-
fore his place is taken by T. de Eleford; *ibid.*,
2 Dec.)

Cinque Ports

32 pt. 1, m 34 d; 20 Oct.

Laurence, William

Palatinate of Lancaster

Referred to for years 26, 27 and 28; Lay Subs.,
130/21, Lancaster. App. D, 4.

‡ Lavenham, William de

Cambridge

L. & P. 25 pt. 1, m 15 d; 15 March.

27 pt. 2, m 25 d; 3 Nov.

Essex

L. & P. 25 pt. 1, m 13 d; 20 May (assoc.).

‡ Lee, John atte

Herts.

29 pt. 1, m 28 d; 21 March.

29 pt. 2, m 8 d; 30 Nov.; *ibid.*, 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

‡ Lee, John de (de la, du)

Stafford

29 pt. 1, m 28 d; 16 May.

29 pt. 2, m 8 d; 2 Nov.

Warwick

L. & P. 25 pt. 1, m 15 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 20 April.

Worcester

(Referred to) L. & P., Claus. 26 m. 19; 15 April.

‡ Leek, Lek, Lawrence de

Holland (Linc.)

27 pt. 2, m 25 d; 20 Jan.

28 pt. 1, m 22 d; 8 May; *ibid.*, 2 July.

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

Leek, Matthew de

Holland (Linc.)

L. & P. 25 pt. 1, m 14 d; 15 March.

Legburn, William de

Lib. of St. Mary's church of Lincoln

30 pt. 1, m 17 d; 27 Oct.

Legh, Leghe, Robert de

Palatinate of Chester

Eyre Roll, 13; Indictment Roll, 19; Indictment Roll,
4; for years 26, 27, 30, 31, 32 and 33. App. C, 1.

Lellay, Thomas

Lib. of abbot of St. Mary of York

29 pt. 1, m 28 d; 20 June.

‡ Leukenore, John de

Oxford

28 pt. 2, m 13 d; 2 July.

‡ Leycester, Richard de

Northants.

28 pt. 2, m 13 d; 25 July. (Vacat quia restitute sunt.)

Ligon. See Lygon.

Lilborn, Roger de

York, W. R.

33 pt. 1, m 27 d; 28 May.

† ‡ Lodelowe, Thomas de

Lib. of archbishop of Canterbury in Kent

30 pt. 1, m 17 d; 16 Sept.

‡ Longevill, George
Northants.

28 pt. 2, m 13 d; 25 July. (Vacat quia restitute sunt.)

Louthe, Roger de
Herts.

32 pt. 1, m 34 d; 16 May.

33 pt. 1, m 27 d; 10 Aug.

‡ Loveday, John
Berks.

L. & P. 25 pt. 1, m 14 d; 15 March.

26 pt. 3, m 4 d; 1 Jan.

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

31 pt. 1, m 20 d; 5 Feb.

Lovel, John
Middlesex

L. & P. 25 pt. 1, m 14 d; 15 March.

Lovel, Richard
Somerset

L. & P. Mem. L. T. R., 26, Hill., Recorda, rot. 4;
per Orig. an. 25. (He has died and the exchequer
is trying to secure his estreats.)

‡ Lovelaunce, Levelaunce, Thomas
Lindsey (Linc.)

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 26 Oct.

28 pt. 1, m 22 d; 8 May; *ibid.*, 3 July.

31 pt. 1, m 20 d; 5 Feb.

Lovell, Thomas

Lib. of abbot of St. Mary of York

29 pt. 1, m 28 d; 20 June.

Lovet, John
Kesteven (Linc.)

31 pt. 1, m 20 d; 5 Feb.

Lowet, Thomas

Cambridge

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Loxleye, Henry de

Surrey

L. & P. 25 pt. 1, m 13 d; 27 Nov. (assoc.).

‡ Lucy, Geoffrey de

Bedford

27 pt. 2, m 25 d; 22 Nov.

28 pt. 2, m 13 d; 20 Jan.

Bucks.

26 pt. 3, m 7 d; 17 Dec.

28 pt. 2, m 13 d; 2 July.

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

Lucy, Thomas (de)

Cumberland

L. & P. 25 pt. 1, m 14 d; 15 March.

Holland (Linc.)

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Luffenham, Robert de

Rutland

31 pt. 1, m 20 d; 5 Feb.

Luscote, William de

Devon

31 pt. 1, m 20 d; 5 Feb.

(When he is made steward of various lordships, his place, and that of T. de Crouthorn for other reasons, are taken by R. de Chiselden and W. de Braunkescombe; 33 pt. 1, m 27 d; 9 Feb.)

Luttleleton, Thomas de

Worcester

28 pt. 1, m 22 d; 1 July.

Lye, Lyee, Richard de

Gloucester

28 pt. 2, m 13 d; 3 Feb. (29th year; assoc.).

31 pt. 1, m 20 d; 5 Feb. (At his death his place is taken by J. Serjant; *ibid.*, 12 Feb.)

‡ Lygon, Ligon, Lygoun, John

Essex

27 pt. 2, m 25 d; 3 Aug. (Vacat quia aliter inferius.)

27 pt. 2, m 25 d; 8 Nov.

28 pt. 1, m 22 d; 2 July.

31 pt. 1, m 20 d; 5 Feb.

‡ Lyouns, John de

Northants.

27 pt. 2, m 25 d; 26 Nov.

28 pt. 1, m 22 d; 26 April.

28 pt. 2, m 13 d; 26 Nov.

29 pt. 1, m 28 d; 26 April.

29 pt. 2, m 8 d; 1 Aug.; *ibid.*, 20 Dec.

30 pt. 1, m 17 d; 26 March.

31 pt. 1, m 20 d; 5 Feb.

32 pt. 1, m 34 d; 28 Nov.

‡ Lysens, John

Notts.

29 pt. 1, m 28 d; 26 Jan.

Lyverpull, William de

Palatinate of Lancaster

Duchy of Lanc., Chanc. Rolls, ii, no. 24 d; 10 Oct.,
7 duke Henry.

‡ Malyns, Edmund de

Oxford

L. & P. 25 pt. 1, m 14 d; 15 March.

26 pt. 3, m 4 d; 1 Jan.

28 pt. 2, m 13 d; 2 July.

Makenad, William

Kent

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

Malesors, Thomas

Leicester

31 pt. 1, m 20 d; 5 Feb.

32 pt. 1, m 34 d; 16 Feb.

Manny. *See* Mauny.

Mare, Geoffrey de la

Holland and Kesteven (Linc.)

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Rutland

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Mareschal, Marchal, Marescall, John (le), (of Wotton)

Bedford

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 15 d; 15 March.

27 pt. 2, m 25 d; 22 Nov.

28 pt. 2, m 13 d; 20 Jan.

29 pt. 2, m 8 d; 20 Oct. (repeated: no date.
20 Dec. Orig.).

31 pt. 1, m 20 d; 5 Feb.

Martel, Hugh, of Chilwell

Notts.

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Martyn, Robert

Dorset

28 pt. 2, m 13 d; 20 Jan.

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

Mauny, Walter de

Herts.

L. & P. 25 pt. 1, m 15 d; 15 March.

Northants.

(Referred to) L. & P., Orig. 24 m. 33, 12 June.

Maynwaryng, Maynwaring, William de

Palatinate of Chester

Indictment Roll, 19; for years 27, 30 and 31. App.

C, 1.

Meaux, John de

Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.

28 pt. 1, m 22 d; 2 July.

Meaux, Meux, Thomas de

Holland and Kesteven (Linc.)

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Kesteven (Linc.)

L. & P. 25 pt. 1, m 13 d; 1 May (assoc.).
 27 pt. 1, m 24 d; 4 May.
 28 pt. 1, m 22 d; 8 May.

Melburn, Henry de

Lib. of St. Peter of York
 28 pt. 2, m 13 d; 8 Nov.

Menevill, John de

Palatinate of Durham; wards of Chester, Darlington,
 Stockton and Easington, and wapentake of Sad-
 berg.

Cursitors' Records, 30, rot. 1, Hatfield, m 5 d, no. 6;
 15 June, 5th year.

‡ Menill, Menyl, Hugh de

Derby

L. & P. 25 pt. 1, m 14 d; 15 March.
 30 pt. 1, m 17 d; 12 July.

† ‡ Mere, Meers, Meres, Roger de, (of Kirketon)

Holland (Linc.)

L. & P. 25 pt. 1, m 14 d; 15 March.
 27 pt. 2, m 25 d; 20 Jan.
 28 pt. 1, m 22 d; 8 May; *ibid.*, 2 July.
 29 pt. 2, m 8 d; 20 Dec.
 33 pt. 1, m 27 d; 18 Feb.
 (assoc. with T. de la Launde in place
 of W. de Surflet.)

Boston

29 pt. 2, m 8 d; 16 Oct.
 30 pt. 1, m 17 d; 15 March.

Merke, Ralph atte

Manors, etc., of St. Paul's church in Essex, Herts., and
 Midd.

30 pt. 1, m 17 d; 11 Sept.

Merkford, Robert de

Town of Leicester

30 pt. 3, m 17 d; 16 Nov.

‡ Meryngton, John de

Warwick, except Coventry

29 pt. 2, m 8 d; 1 Aug.

Warwick

29 pt. 2, m 8 d; 20 Dec.

30 pt. 3, m 17 d; 8 Nov.

Coventry

28 pt. 1, m 22 d; 28 Feb.; *ibid.*, 28 June.

Meryngton, Merynton, William de

City of York

L. & P. 25 pt. 3, m 19 d; 3 Nov.

Lib. of Ripon of archbishop of York

30 pt. 1, m 17 d; 28 April.

Lib. of St. Peter of York

28 pt. 2, m 13 d; 8 Nov.

Lib. of Hospital of St. Leonard of York

30 pt. 1, m 17 d; 20 July.

‡ Metham, Thomas de

Wap. of Herthill and Hovedenshire, York, E. R.

28 pt. 2, m 13 d; 12 Oct. (assoc.).

‡ Michel, Nicholas

Coventry

28 pt. 1, m 22 d; 28 Feb.; *ibid.*, 28 June.

‡ Michel, Michiel, Roger (de), (of Breideston)

Derby

L. & P. 25 pt. 1, m 14 d; 15 March.

30 pt. 3, m 17 d; 11 Dec.

31 pt. 1, m 20 d; 5 Feb.

(Having been made sheriff of Derby,
his place is taken by H. de Beek. *Ibid.*,
16 Dec.)

(Referred to) 33 pt. 1, m 27 d, 12 July, in assoc. of
W. de Steynton.

Middelham, Robert de

Lib. of abbot of St. Mary of York

29 pt. 1, m 28 d; 20 June.

- ‡ Middelneye, Middelnye, Ralph de
Somerset
28 pt. 1, m 22 d; 8 May.
29 pt. 2, m 8 d; 20 Dec.
30 pt. 1, m 17 d; 20 Oct.
- ‡ Middelton, John de
York, E. R.
31 pt. 1, m 20 d; 5 Feb.
- Middelton, William de, clerk
Dorset
31 pt. 1, m 20 d; 28 July (assoc.).
33 pt. 1, m 27 d; 12 Aug. (assoc.).
- Mikelfeld, Hamo de
Suffolk
29 pt. 2, m 8 d; 16 Feb. (30th year; assoc.).
(Repeated) 30 pt. 1, m 19 d.
- ‡ Mirfeld, William de
York, W. R.
L. & P. 25 pt. 1, m 14 d; 15 March (repeated: 20 May).
27 pt. 1, m 24 d; 3 July.
- Molyns, John de
Bedford
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).
- Montfort, Monte Forti, Peter de
Warwick
L. & P. 25 pt. 1, m 15 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 20 April.
- Except Coventry
29 pt. 2, m 8 d; 1 Aug.
- Warwick
Ibid., 20 Dec.
- ‡ Monyton, Hugh de
Hereford
29 pt. 2, m 8 d; 2 Oct.; *ibid.*, 20 Dec.
31 pt. 1, m 20 d; 5 Feb.

Mordon, William de, sheriff

Palatinate of Durham; wards of Chester, Darlington,
Stockton and Easington, and wapentake of Sad-
berg.

Cursitors' Records, 30, rot. 1, Hatfield, m 5 d, no. 6;
15 June, 5th year.

Morice, Moryce, John

Bedford

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Morieux, Thomas

Suffolk

30 pt. 1, m 17 d; 13 Oct. (with M. de Bures in place
of A. de Bures).

‡ Moritz, Stephen, the younger

Lib. of Queen Isabel in towns of Cambridge and Ches-
terton

30 pt. 3, m 17 d; 10 July.

Moritz, Moricz, Thomas

Essex

28 pt. 1, m 22 d; 2 July.

London

31 pt. 1, m 20 d; 1 Aug.

‡ Morle, Robert de

Norfolk

L. & P. 24 pt. 1, m 23 d; 20 Feb.

28 pt. 1, m 22 d; 26 June.

Mortimer. *See* Mortuo Mari and Mortymer.

Mortuo Mari, Constantine de, le fitz

Cambridge

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Mortymer, Roger de

Shropshire

L. & P. 25 pt. 1, m 14 d; 15 March.

Moryn, John de

Wap. of Cleveland and Pickering, N. R.

28 pt. 1, m 22 d; 2 July.

- † ‡ Motelow, Henry, de
 Shrewsbury
 30 pt. 1, m 17 d; 18 Sept.
- † ‡ Moubray, John (de)
 Derby
 L. & P. 25 pt. 1, m 14 d; 15 March.
 Leicester
 ditto
 Holland (Linc.)
 ditto
 Lindsey (Linc.)
 ditto
 Northants.
 ditto
 Notts.
Ibid., m 15 d; 15 March.
- Rutland
Ibid., m 14 d; 15 March.
- Warwick
 L. & P. 25 pt. 1, m 15 d; 15 March.
 L. & P. 26 pt. 1, m 9 d; 20 April.
- York, N. R.
 L. & P. 25 pt. 1, m 14 d; 15 March.
 29 pt. 2, m 8 d; 20 Dec.
 30 pt. 1, m 17 d; 12 July.
- Wap. of Allerton, Birdforth and Richmond, N. R.
 28 pt. 1, m 22 d; 2 July.
- Wap. of Bulmer and Rydale, N. R.
 28 pt. 1, m 22 d; 2 July.
- Wap. of Cleveland and Pickering, N. R.
 28 pt. 1, m 22 d; 2 July.
- Wap. of Herthill and Hovedenshire, E. R.
 28 pt. 1, m 22 d; 2 July.
- Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.
 28 pt. 1, m 22 d; 2 July.
- County of Richmond
 28 pt. 1, m 22 d; 10 Feb.

Lib. of Holderness

28 pt. 1, m 22 d; 2 July.

Lib. of St. Peter of York

28 pt. 2, m 13 d; 8 Nov.

Lib. of Hospital of St. Leonard of York

30 pt. 1, m 17 d; 20 July.

City of Lincoln

L. & P. 25 pt. 1, m 19 d; 27 March.

Scarborough

29 pt. 1, m 28 d; 4 July.

30 pt. 3, m 17 d; 30 Oct.

City of York

L. & P. 25 pt. 3, m 19 d; 3 Nov.

Stamford

L. & P. 25 pt. 1, m 14 d; 15 March.

Mounceaux, Martin

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Mountkoy, Mouncoy, Munkoye, Roger

Essex

30 pt. 1, m 19 d; 14 Feb. (assoc.).

29 pt. 1, m 28 d; 10 July (30th year, in place of J. de Staunton, who has died).

32 pt. 1, m 34 d; 10 July (assoc.).

‡ Munden, John (de)

Dorset

(Referred to) L. & P. 24 Edw. III; Mem. L. T. R.,
31, Hill., Recorda, rot. 9.

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 2, m 13 d; 20 Jan.

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

33 pt. 1, m 27 d; 18 May.

Middlesex

L. & P. 25 pt. 1, m 14 d; 15 March.

(His place, and that of R. atte Watre, are
taken by J. de Tamworth and W. de Colbrok;
28 pt. 1, m 22 d; 12 April.)

‡ Musard, John

Worcester

27 pt. 1, m 24 d; 12 Feb.

28 pt. 1, m 22 d; 18 May; *ibid.*, 1 July.

‡ Musgrave, Thomas de

Westmoreland

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 26 Oct.

Nessefeld, John de

Boston

30 pt. 1, m 17 d; 15 March.

Nessefeld, Thomas de

Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.

28 pt. 1, m 22 d; 10 Feb.

Nessefeld, William de

Lib. of Knaresborough of Queen Philippa

30 pt. 1, m 17 d; 26 July.

‡ Neudegate, William

Surrey

31 pt. 1, m 20 d; 5 Feb.

Neuport, John de

Essex

33 pt. 1, m 27 d; 6 March.

Nevil, Alexander de

Wap. of Bulmer and Rydale, N. R.

28 pt. 1, m 22 d; 2 July.

Nevill, Philip de

Lindsey (Linc.)

L. & P. 25 pt. 1, m 14 d; 15 March.

Nevill, Ralph de

York, N. R.

(Referred to) L. & P. Claus., 26, m 25 d; 10 March.

‡ Nevill, William de

Grimsby

27 pt. 2, m 25 d; 15 Jan.

Newcastle. *See* Novo Castro.

Newmarche. *See* Novo Mercato.

Newmarket. *See* Novo Mercato.

Northburgh, Hugh de

Northants.

31 pt. 1, m 20 d; 5 Feb.

‡ Northland, John de

York, W. R.

L. & P. 25 pt. 1, m 14 d; 20 May.

27 pt. 1, m 24 d; 3 July.

31 pt. 1, m 20 d; 5 Feb.

32 pt. 1, m 34 d; 18 June.

Northo, William de

Sussex

28 pt. 1, m 22 d; 20 June.

Northtoft, Northtuft, Nortoft, Nortot, Edmund de

Essex

Assize Roll, 267; for 24 Edw. III; app. D, 1.

‡ Norton, Vincent de

Norfolk

28 pt. 1, m 22 d; 26 June.

Norwich, Norwiche, John de

Norfolk

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 14 d; 15 March.

† ‡ Notton, William de

Essex

L. & P. 25 pt. 1, m 15 d; 15 March.

Herts.

L. & P. 25 pt. 1, m 15 d; 15 March.

29 pt. 1, m 28 d; 21 March.

29 pt. 2, m 8 d; 30 Nov.

Kent

L. & P. 25 pt. 1, m 15 d; 15 March.

Surrey

ditto

Sussex

ditto

York, W. R.

L. & P. 25 pt. 1, m 14 d; 20 May.

27 pt. 1, m 24 d; 3 July.

29 pt. 2, m 8 d; 20 Dec.

Wap. of Ainsty, Barkston and Claro, W. R.

28 pt. 1, m 22 d; 2 July.

29 pt. 1, m 28 d; 15 May.

Beverley

27 pt. 2, m 25 d; 25 Aug.

‡ Novo Castro, Richard de, (of Scarborough)

Scarborough

L. & P. 26 pt. 1, m 21 d; 20 Feb.

28 pt. 2, m 13 d; 3 Oct.

29 pt. 1, m 28 d; 14 Feb.

30 pt. 3, m 17 d; 30 Oct.

‡ Novo Mercato, Newemarche, Thomas de

Notts.

31 pt. 1, m 20 d; 5 Feb. (Repeated. When he is appointed collector of the subsidy, his place is taken by J. Bozon. *Ibid.*, 10 Nov.)

Nuthirst, Walter

Lib. of King's Chapel of Windsor

30 pt. 1, m 17 d; 8 June.

Oldecastel, Oldcastell, Oldcastle, John de (del)

Hereford

29 pt. 2, m 8 d; 2 Oct.; *ibid.*, 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

‡ Oldestowe, Aldestowe, John de

Cornwall

L. & P. 26 pt. 1, m 9 d; 15 July.

28 pt. 2, m 13 d; 16 Dec.

Orreby, John de

Cumberland

L. & P. 25 pt. 1, m 14 d; 15 March.

Lindsey (Linc.)

ditto

Otewy, Alexander
Herts.

L. & P. 25 pt. 1, m 15 d; 15 March.

Oughtred. *See* Ughtred.

Ousseflete. *See* Usflet.

Overbury, William de
Gloucester

32 pt. 1, m 34 d; 26 Feb. (assoc.).

Overton, William de
Southampton

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Pakeman, Pageman, Simon
Leicester

L. & P. 25 pt. 1, m 14 d; 15 March.

("Et licet postmodum certis de causis nos tunc mouentibus vos ac prefatum Iohannem de Foluill . . . duxerimus amouendos. Quia tamen diligentia et fidelitas vestre in execucione negotiorum nostrorum per vos exequende per certos fideles nostros quibus fidem adhibemus, testificate existunt . . .," he is restored; Claus. 26 m. 29; 6 Feb.)

28 pt. 1, m 22 d; 18 Feb.; *ibid.*, 2 July.

28 pt. 2, m 13 d; 20 Oct.

29 pt. 2, m 8 d; 1 Aug.

Papeworth, John de
Hunts.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Parles, Walter
Northants.

28 pt. 2, m 13 d; 26 Nov.

29 pt. 1, m 28 d; 26 April.

29 pt. 2, m 8 d; 1 Aug.

Parys, Randolf de

Holland and Kesteven (Linc.)

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Pavely, John

Wilts.

L. & P. 25 pt. 1, m 15 d; 15 March.

Payn, Walter

Leicester

31 pt. 1, m 20 d; 5 Feb.

‡ Pentelowe, Thomas de

Berks.

26 pt. 3, m 4 d; 1 Jan.

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

31 pt. 1, m 20 d; 5 Feb.

33 pt. 1, m 27 d; 4 Aug.

† Percy, Henry de

Northumberland

L. & P. 25 pt. 1, m 14 d; 15 March.

Petygard, Roger

Norfolk

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Peverel, Andrew

Sussex

L. & P. 25 pt. 1, m 15 d; 15 March.

30 pt. 1, m 17 d; 12 March.

31 pt. 1, m 20 d; 5 Feb.

‡ Peyto, John de

Warwick

28 pt. 1, m 22 d; 18 May.

Piperel, Roger

Devon

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Playce, Plays, William

York, E. R.

29 pt. 2, m 8 d; 20 Dec.

Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.

28 pt. 1, m 22 d; 2 July.

‡ Plumpton, William de

York, W. R.

29 pt. 2, m 8 d; 20 Dec.

Wap. of Ainsty, Barkston and Claro, W. R.

28 pt. 1, m 22 d; 2 July.

29 pt. 1, m 28 d; 15 May.

Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.

28 pt. 1, m 22 d; 10 Feb.

‡ Pole, Henry de la (atte)

Derby

L. & P. 25 pt. 1, m 13 d; 20 July (assoc.).

28 pt. 2, m 13 d; 2 July.

29 pt. 2, m 8 d; 20 Dec.

30 pt. 3, m 17 d; 11 Dec.

30 pt. 1, m 17 d; 8 Aug. (in place of T. Adam).

Pole, Richard de la

Gloucester

L. & P. 25 pt. 1, m 14 d; 15 March.

Hereford

ditto

Leicester

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Shropshire

L. & P. 25 pt. 1, m 14 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 15 May.

Stafford

L. & P. 25 pt. 1, m 14 d; 15 March.

Worcester

ditto

L. & P. 26 pt. 1, m 9 d; 20 April; *ibid.*, 2 July.

† ‡ Pole, William de la

Norfolk

28 pt. 1, m 22 d; 26 June.

Polglas, Polglase, William (de)

Cornwall

29 pt. 2, m 8 d; 10 Dec.; *ibid.*, 20 Dec.

32 pt. 1, m 34 d; 20 Feb.

‡ Ponynges, Michael de

Sussex

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 1, m 22 d; 20 June.

Porter, William, of Stebbyng

Manors of Henry, duke of Lancaster, in Kent, Essex,
Sussex and Midd.

30 pt. 3, m 22 d; 28 Oct.

Pothowe, John de

Lib. of abbot of St. Mary of York

30 pt. 3, m 17 d; 20 Nov. (assoc.).

‡ Power, John

Notts.

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 2, m 13 d; 2 July.

29 pt. 1, m 28 d; 26 Jan.

30 pt. 1, m 17 d; 3 June (assoc.).

Poynton, Walter de

City of Lincoln

L. & P. 25 pt. 1, m 19 d; 27 March.

Lib. of St. Mary's church of Lincoln

30 pt. 1, m 17 d; 27 Oct.

Prestcote, Robert de

Palatinate of Lancaster

Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
duke Henry.

Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.

Ibid., ii, 38 d; 26 April, 9 duke Henry.

Priterwell, John de

Essex

L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).

Proctour, Thomas

Lib. of abbot of St. Mary of York

29 pt. 1, m 28 d; 20 June.

‡ Pudsay, Pudeseý, John de, (of Craven)

York, W. R.

32 pt. 1, m 34 d; 18 June.

32 pt. 1, m 34 d; 12 Nov. (assoc.).

Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.

28 pt. 1, m 22 d; 10 Feb.

Pukrych, John de

Herts.

30 pt. 3, m 17 d; 8 Nov. (assoc.).

‡ Pund, Adam (de)

Kingston-on-Hull

L. & P. 26 pt. 1, m 15 d; 15 Feb.

27 pt. 1, m 24 d; 12 Feb.

‡ Purefey, Philip

Leicester

28 pt. 1, m 22 d; 2 July.

Puttenham, Roger de

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Pykworth, Thomas de

York, W. R.

31 pt. 1, m 20 d; 5 Feb.

Radeclif, Richard de

Palatinate of Lancaster

Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
duke Henry.

Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.

Ibid., ii, no. 38 d; 26 April, 9 duke Henry.

Radeclif, William de

Palatinate of Lancaster

Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
duke Henry.

Radeswell, James de

Herts.

(Referred to) Lay Subs., 120/32; from Mich. 25
Edw. III to Mich. 26 Edw. III.

‡ Repyngale, Repyng hale, John de

Kesteven (Linc.)

27 pt. 1, m 24 d; 4 May.

28 pt. 1, m 22 d; 8 May.

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

Newark

30 pt. 1, m 17 d; 27 May.

Restwold, Ralph de

Berks.

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

Reynes, Thomas de

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

‡ Richemond, Richemound, Rychemond, Rychemound, Rychemund, Peter de

York, N. R.

L. & P. 25 pt. 1, m 14 d; 15 March.

30 pt. 1, m 17 d; 12 July.

Wap. of Allerton, Birdforth and Richmond, N. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Bulmer and Rydale, N. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Herthill and Hovedenshire, E. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Cleveland and Pickering, N. R.

28 pt. 1, m 22 d; 2 July.

County of Richmond

28 pt. 1, m 22 d; 10 Feb.

Lib. of Holderness

28 pt. 1, m 22 d; 2 July.

Lib. of Ripon of archbishop of York

30 pt. 1, m 17 d; 28 April.

‡ Richemond, Richemound, Richemund, Richard (de)

York, N. R.

31 pt. 1, m 20 d; 5 Feb.; *ibid.*, 26 Nov.

33 pt. 1, m 27 d; 12 Sept.

Lib. of abbot of St. Mary of York

29 pt. 1, m 28 d; 20 June.

Risshebrok, William de

Suffolk

28 pt. 2, m 13 d; 20 Nov. (assoc.).

‡ Roches, John de

Wilts.

L. & P. 25 pt. 1, m 13 d; 28 May (assoc.).

27 pt. 1, m 24 d; 27 May.

28 pt. 2, m 13 d; 2 July.

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

31 pt. 1, m 20 d; 5 Feb.

Somerset

Claus. 32 m. 6; 12 Nov. (writ for wages).

‡ Rodeneye, Walter de

Somerset

29 pt. 2, m 8 d; 20 Dec.

30 pt. 1, m 17 d; 20 Oct.

31 pt. 1, m 20 d; 5 Feb.

32 pt. 1, m 34 d; 26 Jan.

Roderham, Roderam, William de

Kent

28 pt. 2, m 13 d; 26 Sept.

31 pt. 1, m 20 d; 5 Feb.

Surrey

Claus. 30 m. 13; 8 June (writ for wages).

Rokele, John de la

Essex

29 pt. 2, m 8 d; 20 Oct. (assoc.).

30 pt. 1, m 19 d; 15 Feb. (assoc.).

‡ Rokele, Robert de la

Essex

27 pt. 1, m 24 d; 3 June.

27 pt. 2, m 25 d; 8 Nov.

28 pt. 1, m 22 d; 2 July.

‡ Rokesdon, John de

Bedford

28 pt. 2, m 13 d; 20 Jan.

29 pt. 2, m 8 d; 20 Oct. (repeated: no date. 20 Dec. Orig.).

31 pt. 1, m 20 d; 5 Feb.

Roos, Thomas de

Holland and Kesteven (Linc.)

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Kesteven (Linc.)

L. & P. 25 pt. 1, m 14 d; 15 March.

Roston, Henry de

Scarborough

30 pt. 3, m 17 d; 30 Oct.

‡ Rouclif, Rouclyf, Robert (Richard) de

Wap. of Bulmer and Rydale, N. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Cleveland and Pickering, N. R.

28 pt. 1, m 22 d; 2 July.

Scarborough

28 pt. 2, m 13 d; 3 Oct.

29 pt. 1, m 28 d; 14 Feb.

Rougham, Richard de

Norfolk

Mem. L. T. R., 35, Pasch., Recorda, rot. 10 d; referred to for 33 Edw. III.

Roulegh, Roulee, John de

Surrey

County Placita, no. 8; for 24th year. App. C, 2.

L. & P. 25 pt. 1, m 15 d; 15 March.

("Quibusdam certis de causis coram consilio nostro propositis . . . duximus amouendum . . ."; Claus.

25 m. 15, 15 Sept. P. atte Wode also removed.)

- Ry, Nicholas de
Holland and Kesteven (Linc.)
L. & P. 24 pt. 1, m 23 d; 20 Feb.
- Rybred, John, of Spaldyng, (Spaldyng, John)
Holland and Kesteven (Linc.)
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Holland (Linc.)
L. & P. 25 pt. 1, m 13 d; 20 June (assoc.).
27 pt. 2, m 25 d; 20 Jan.
- Ryngeburne, William de
Isle of Wight
31 pt. 1, m 20 d; 5 Feb.
- Rys, William de
York, E. R.
32 pt. 1, m 34 d; 20 Nov.
- Ryvere, John de la, of Heyworth
Wilts.
L. & P. 25 pt. 1, m 15 d; 15 March.
- Sadelyngstanes, Sadelingstanes, Hugh de
City of York
L. & P. 25 pt. 3, m 19 d; 3 Nov.
Newcastle-on-Tyne
L. & P. 26 pt. 1, m 28 d; 8 Feb.
- † ‡ Sadyngton, Robert de
Leicester
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d; 2 July.
28 pt. 2, m 13 d; 20 Oct.
- ‡ Salford, Peter de
Bedford
27 pt. 2, m 25 d; 22 Nov.
- Salkeld, John de
Cumberland
31 pt. 1, m 20 d; 5 Feb.
- Salvayn, Gerard
Wap. of Herthill and Hovedenshire, E. R.
28 pt. 1, m 22 d; 2 July.

- ‡ Sancto Botulpho, William de
 Kesteven (Linc.)
 30 pt. 1, m 17 d; 30 May (assoc.).
 31 pt. 1, m 20 d; 5 Feb.
- Sandford, Thomas de
 Westmoreland
 27 pt. 2, m 25 d; 26 Oct.
 29 pt. 2, m 8 d; 20 Dec.; *ibid.*, 17 Jan.
- Sandford, William de
 York, W. R.
 30 pt. 3, m 17 d; 26 Oct. (assoc.).
- Saumon, Richard, mayor
 Town of Nottingham
 30 pt. 1, m 17 d; 25 May.
- ‡ Savage, Arnald
 Kent
 28 pt. 2, m 13 d; 26 Sept. (repeated).
- Scalby, Thomas de
 Scarborough
 29 pt. 1, m 28 d; 14 Feb.
- Scorby, Henry de, mayor
 City of York
 L. & P. 25 pt. 3, m 19 d; 3 Nov.
- Scrop, Henry de
 York, N. R.
 L. & P. 25 pt. 1, m 14 d; 15 March.
- Scrop, Richard de
 Wap. of Allerton, Birdforth and Richmond, N. R.
 28 pt. 1, m 22 d; 2 July.
- Scrop, William de
 Wap. of Allerton, Birdforth and Richmond, N. R.
 28 pt. 1, m 22 d; 2 July.
- ‡ Selby, Robert de
 Kingston-on-Hull
 27 pt. 1, m 24 d; 12 Feb.

Semere, Adam, of Scarborough

Scarborough

L. & P. 26 pt. 1, m 21 d; 20 Feb.

‡ Sergeant, John, (the younger)

Gloucester

L. & P. 25 pt. 1, m 14 d; 15 March.

32 pt. 1, m 34 d; 12 Feb. (in place of Richard de Lye).

Sergeant, Robert

Kingston-on-Hull

L. & P. 26 pt. 1, m 15 d; 15 Feb.

† ‡ Seton, Thomas de

Cumberland

L. & P. 25 pt. 1, m 14 d; 15 March.

Lancashire

24 pt. 3, m 13 d; 20 Oct.

Westmoreland

L. & P. 25 pt. 1, m 14 d; 15 March.

York, E. R.

ditto

York, N. R.

ditto

30 pt. 1, m 17 d; 12 July.

York, W. R.

L. & P. 25 pt. 1, m 14 d; 15 March.

Wap. of Allerton, Birdforth and Richmond, N. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Bulmer and Rydale, N. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Herthill and Hovedenshire, E. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.

28 pt. 1, m 22 d; 2 July.

Wap. of Cleveland and Pickering, N. R.

28 pt. 1, m 22 d; 2 July.

Lib. of Pickering and Wap. of Rydale, N. R.
30 pt. 3, m 17 d; 30 Oct.

Lib. of Holderness

L. & P. 26 pt. 1, m 21 d; 20 Feb.
28 pt. 1, m 22 d; 2 July.

Beverley

L. & P. 26 pt. 2, m 20 d; 25 June.
27 pt. 2, m 25 d; 25 Aug.

Kingston-on-Hull

L. & P. 26 pt. 1, m 15 d; 15 Feb.

Newcastle-on-Tyne

L. & P. 26 pt. 1, m 28 d; 8 Feb.

Scarborough

L. & P. 26 pt. 1, m 21 d; 20 Feb.
29 pt. 1, m 28 d; 4 July.

Seymor, Nicholas de

Somerset

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Seymor, Thomas

Wilts.

28 pt. 2, m 13 d; 2 July.

‡ Shakenhurst, Shakenhirst, Walter de

Worcester

L. & P. 26 pt. 1, m 9 d; 2 July.
27 pt. 1, m 24 d; 12 Feb.
27 pt. 2, m 25 d; 3 Aug.
28 pt. 1, m 22 d; 18 May; *ibid.*, 1 July.
29 pt. 2, m 8 d; 3 Dec.

‡ Sharesull, Adam de

Oxford

27 pt. 1, m 23 d; 13 Feb. (assoc.).
28 pt. 2, m 13 d; 2 July.

Gloucester

Claus. 31 m. 25; 20 April (writ for wages).

† ‡ Shareshull, William de

Berks.

L. & P. 25 pt. 1, m 14 d; 15 March.

Cornwall

L. & P. 26 pt. 1, m 9 d; 15 July.

Devon

L. & P. 25 pt. 1, m 14 d; 15 March.

Dorset

L. & P. 25 pt. 1, m 15 d; 15 March.

Northants.

L. & P. 26 pt. 1, m 8 d; 20 May (assoc.; names do not accord with previous commission).

Oxford

L. & P. 25 pt. 1, m 14 d; 15 March.

Shropshire

L. & P. 26 pt. 1, m 9 d; 15 May.

Somerset

L. & P. 25 pt. 1, m 15 d; 15 March.

Southampton

L. & P. 25 pt. 1, m 15 d; 15 March.

Stafford

L. & P. 25 pt. 1, m 14 d; 6 Dec.

29 pt. 1, m 28 d; 16 May.

29 pt. 2, m 8 d; 2 Nov.; *ibid.*, 20 Dec.

Wilts.

L. & P. 25 pt. 1, m 15 d; 15 March.

27 pt. 1, m 24 d; 27 May.

Worcester

L. & P. 26 pt. 1, m 9 d; 2 July.

29 pt. 2, m 8 d; 20 Dec.

Shawe, Stephen de

Kesteven (Linc.)

30 pt. 1, m 17 d; 22 Oct. (assoc.).

‡ Sheffield, Shefeld, John de

York, W. R.

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 1, m 24 d; 3 July.

- ‡ Shilvyngton, William de
 Stamford
 27 pt. 1, m 24 d; 12 Feb.
- Shirburn, John de
 Wap. of Ainsty, Barkston and Claro, W. R.
 28 pt. 1, m 22 d; 20 Jan. (in place of John de Chaumont).
- Shirburn, William de
 Lancashire
 24 pt. 3, m 13 d; 20 Oct.
- ‡ Skelton, Clement de
 Carlisle
 26 pt. 3, m 1 d; 1 Jan.
- Skelton, Thomas
 Cumberland
 29 pt. 2, m 8 d; 30 Nov.
- † ‡ Skipwith, Skippewith, Skippewyth, Skipwyth, William de
 Derby
 L. & P. 25 pt. 1, m 14 d; 15 March.
- Leicester
 ditto
 Holland and Kesteven (Linc.)
 L. & P. 24 pt. 1, m 23 d; 20 Feb.
- Holland (Linc.)
 L. & P. 25 pt. 1, m 14 d; 15 March.
 28 pt. 1, m 22 d; 2 July.
- Kesteven (Linc.)
 L. & P. 25 pt. 1, m 14 d; 15 March.
- Lindsey (Linc.)
 24 pt. 3, m 10 d; 12 Nov.
 L. & P. 25 pt. 1, m 14 d; 15 March.
 27 pt. 2, m 25 d; 26 Oct.
 28 pt. 1, m 22 d; 8 May; *ibid.*, 3 July.
 29 pt. 2, m 8 d; 1 Dec.
- Northants.
 L. & P. 25 pt. 1, m 14 d; 15 March.

Notts.

L. & P. 25 pt. 1, m 15 d; 15 March.

Rutland

L. & P. 25 pt. 1, m 14 d; 15 March.

Warwick

L. & P. 25 pt. 1, m 15 d; 15 March.

L. & P. 26 pt. 1, m 9 d; 20 April.

Lib. of Holderness

29 pt. 1, m 28 d; 1 March.

City of Lincoln

L. & P. 25 pt. 1, m 19 d; 27 March.

30 pt. 1, m 17 d; 6 April.

Stamford

L. & P. 25 pt. 1, m 14 d; 15 March.

Manors, etc., of duke of Lancaster in Lincolnshire

30 pt. 1, m 17 d; 8 July.

‡ Skirbek, John de

Cornwall

28 pt. 2, m 13 d; 16 Dec.

‡ Skynnere, William (le)

Shrewsbury

30 pt. 1, m 17 d; 28 May; *ibid.*, 18 Sept.

Sloghter, Sloghtre, Thomas (de)

Gloucester

28 pt. 2, m 13 d; 3 Feb. (29th year; assoc.).

29 pt. 2, m 8 d; 20 Dec.

Worcester

28 pt. 2, m 13 d; 3 Feb. (29th year; assoc.).

30 pt. 1, m 17 d; 1 April.

31 pt. 1, m 20 d; 5 Feb.

32 pt. 1, m 34 d; 15 Dec.

‡ Slyngeby, William de

York, W. R.

27 pt. 1, m 24 d; 3 July.

Somerby, Walter de

Kesteven (Linc.)

L. & P. 25 pt. 1, m 14 d; 15 March.

Somercotes, John de

Lindsey (Linc.)

24 pt. 3, m 10 d; 12 Nov.

Lib. of St. Mary's church of Lincoln

30 pt. 1, m 17 d; 27 Oct.

‡ Somerford, Richard de

Stafford

31 pt. 1, m 20 d; 5 Feb.

Spaigne, William de

Boston

29 pt. 2, m 8 d; 16 Oct.

Spaldyng, John. *See* Rybred.

‡ Sparry, John

Warwick

28 pt. 1, m 22 d; 18 May.

31 pt. 1, m 20 d; 5 Feb.

Spenser, William le, knight

Worcester

32 pt. 1, m 34 d; 24 July (assoc.).

Spycer, John

Exeter

30 pt. 3, m 17 d; 20 Nov.

‡ Spyneye, Spynee, William

Warwick

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

Stafford, Ralph de, baron and earl of

Leicester

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Stafford

L. & P. 25 pt. 1, m 14 d; 15 March; *ibid.*, 6 Dec.

Stafford, Richard de

Leicester

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Stafford

L. & P. 25 pt. 1, m 14 d; 15 March.

Staunford, Nicholas de
Stamford

27 pt. 1, m 24 d; 12 Feb.

‡ Staunton, Geoffrey de
Notts.

L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 26 Jan.
29 pt. 2, m 8 d; 1 Aug.; *ibid.*, 20 Dec.
30 pt. 1, m 17 d; 15 April.
31 pt. 1, m 20 d; 5 Feb.

Staunton, John de
Essex

28 pt. 1, m 22 d; 2 July.

(At his death his place is taken by R. Mount-
koy, 10 July, 30th year; 29 pt. 1, m 28 d.)

‡ Stayne, Stayn, William de
Lindsey (Linc.)

24 pt. 3, m 10 d; 12 Nov.
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 26 Oct.
28 pt. 1, m 22 d; 8 May; *ibid.*, 3 July.
29 pt. 2, m 8 d; 1 Dec.
31 pt. 1, m 20 d; 5 Feb.

Staynton, Robert de
York, W. R.

L. & P. 25 pt. 1, m 14 d; 20 May.

‡ Steynton, William de
Derby

33 pt. 1, m 27 d; 12 July (assoc.).

‡ Stirkland, Thomas de
Westmoreland

27 pt. 2, m 25 d; 26 Oct.

Stodeye, John de
London

31 pt. 1, m 20 d; 1 Aug.

- Stonleye, Stonle, Richard de
 Warwick, except Coventry
 29 pt. 2, m 8 d; 1 Aug.
 Warwick
 30 pt. 3, m 17 d; 8 Nov.
- † Stouford, John de
 Berks.
 L. & P. 25 pt. 1, m 14 d; 15 March.
 Cornwall
 L. & P. 26 pt. 1, m 9 d; 15 July.
 Devon
 L. & P. 25 pt. 1, m 14 d; 15 March.
 Dorset
 L. & P. 25 pt. 1, m 15 d; 15 March.
 Oxford
 L. & P. 25 pt. 1, m 14 d; 15 March.
 Somerset
 L. & P. 25 pt. 1, m 15 d; 15 March.
 Southampton
 ditto
 Wilts.
 ditto
- Strangman, William
 Manors, etc., of St. Paul's in Essex, Herts. and Midd.
 30 pt. 1, m 17 d; 11 Sept.
- Strete, John atte
 Manors, etc., of St. Paul's in Essex, Herts. and Midd.
 30 pt. 1, m 17 d; 11 Sept.
- ‡ Stryvelyn, John de
 Northumberland
 L. & P. 25 pt. 1, m 14 d; 15 March.
 29 pt. 2, m 8 d; 20 Dec. (void).
- ‡ Sturmy, Henry
 Southampton
 28 pt. 2, m 13 d; 2 July.
 29 pt. 2, m 8 d; no date. 20 Dec. Orig.
 31 pt. 1, m 20 d; 5 Feb.

‡ Sturmy, John

Lib. of Holderness

28 pt. 1, m 22 d; 2 July.

29 pt. 1, m 28 d; 1 March.

‡ Stury, John

Shrewsbury

30 pt. 1, m 17 d; 28 May; *ibid.*, 18 Sept.

‡ Styuecle, John de

Hunts.

L. & P. 25 pt. 1, m 13 d; 20 July (assoc.).

27 pt. 2, m 25 d; 1 Dec.

31 pt. 1, m 20 d; 5 Feb.

(At his death his place is taken by J.
de Harewedon; *ibid.*, 3 Nov.)

‡ Styuecle, Nicholas de

Hunts.

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 1 Dec.

Styuecle, Richard de

Hunts.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Sudbury, John de

Essex

31 pt. 1, m 20 d; 5 Feb.

33 pt. 1, m 27 d; 6 March.

Suffolk, earl of. *See* Ufford.

Surflet, William de

Holland (Linc.)

L. & P. 25 pt. 1, m 13 d; 20 June (assoc.).

28 pt. 1, m 22 d; 12 March (assoc.).

29 pt. 1, m 28 d; 7 July (30th year; assoc.).

31 pt. 1, m 20 d; 5 Feb.

("Certis de causis," his place is taken
by R. de Meres and T. de la Laund.
33 pt. 1, m 27 d; 18 Feb.)

‡ Sutton, John de
Essex

L. & P. 25 pt. 1, m 15 d; 15 March.

27 pt. 1, m 24 d; 3 June.

27 pt. 2, m 25 d; 3 Aug. (Vacat quia aliter
inferius.)

‡ Sutton, John de, of Dudley
Stafford

29 pt. 1, m 28 d; 16 May.

29 pt. 2, m 8 d; 2 Nov.; *ibid.*, 20 Dec.

Sutton, John de, of Holderness

Lib. of Holderness

L. & P. 26 pt. 1, m 21 d; 20 Feb.

(His place is taken by R. de Hilton; 26 pt. 1,
m 8 d; 20 May.)

Sutton, Lawrence de

Manors, etc., of St. Paul's in Essex, Herts. and Midd.

30 pt. 1, m 17 d; 11 Sept.

‡ Swynfen, John

Town of Huntingdon

28 pt. 2, m 13 d; 20 Jan.

29 pt. 1, m 28 d; 20 June.

Swynford, Thomas de

Bedford

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Holland and Kesteven (Linc.)

ditto

Swynnerton, John de, (of Hulton)

Leicester

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Stafford

L. & P. 25 pt. 1, m 14 d; 15 March.

Swynnerton, Thomas de

Leicester

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Stafford

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Symeon, Simon

Holland (Linc.)

27 pt. 2, m 25 d; 20 Jan.

28 pt. 1, m 22 d; 8 May; *ibid.*, 2 July.

Lindsey (Linc.)

28 pt. 1, m 22 d; 8 May.

Syngleton, Robert de

Palatinate of Lancaster

Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
duke Henry.

Ibid., ii, no. 19 d; 3 May, 6 duke Henry (assoc.).

Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.

Taillour, Henry, of Hedon

Lib. of Holderness

L. & P. 26 pt. 1, m 8 d; 20 April (27th year; assoc.).

Talbot, Richard, of Goderiche Castell

Gloucester

L. & P. 25 pt. 1, m 14 d; 15 March.

Hereford

ditto

‡ Tamworth, John de

Middlesex

28 pt. 1, m 22 d; 12 April (assoc.).

Surrey

28 pt. 1, m 22 d; 20 June.

‡ Teye, Robert de

Essex

L. & P. 25 pt. 1, m 15 d; 15 March.

27 pt. 1, m 24 d; 3 June.

27 pt. 2, m 25 d; 3 Aug. (Vacat quia aliter inferius.)

27 pt. 2, m 25 d; 8 Nov.

28 pt. 1, m 22 d; 2 July.

29 pt. 2, m 8 d; 28 Aug.

Thoresby, Richard de

Lib. of abbot of Peterborough

28 pt. 1, m 22 d; 20 June.

‡ Thornes, Robert del
Shrewsbury

30 pt. 1, m 17 d; 28 May.

† Thorpe, Thorp, Robert de
Bedford

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 15 d; 15 March.

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).

L. & P. 25 pt. 1, m 15 d; 15 March.

Cambridge

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 15 d; 15 March.

Hunts.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 14 d; 15 March

Norfolk

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 14 d; 15 March.

Suffolk

L. & P. 25 pt. 1, m 14 d; 15 March.

† Thorpe, William de
Leicester

(Referred to) L. & P. Orig. 24 m. 33; 12 June.

Holland and Kesteven (Linc.)

L. & P. 24 pt. 1, m 23 d; 20 Feb.

‡ Threlkeld, William de
Cumberland

29 pt. 2, m 8 d; 30 Nov.; *ibid.*, 20 Dec.

Tilneye, Tylneye, John de
Norfolk

28 pt. 1, m 22 d; 11 July (assoc.).

Except Lynn

29 pt. 2, m 8 d; 30 Nov.

Tochewyk, Thomas (de)

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 15 d; 15 March.

26 pt. 3, m 7 d; 17 Dec.

28 pt. 2, m 13 d; 2 July.

Toft, Robert de

Holland (Linc.)

33 pt. 3, m 27 d; 26 March.

Topclyf, William de

Middlesex

30 pt. 1, m 17 d; 15 Sept. (assoc.).

Trenchaunt, Edward

Southampton

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Trewynnare, Trewynard, Henry (de)

Cornwall

L. & P. 26 pt. 1, m 9 d; 15 July.

28 pt. 2, m 13 d; 16 Dec.

Tristrem, Richard

Shropshire

31 pt. 1, m 20 d; 5 Feb.

Trussebut, William

Notts.

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Tughale, Tugal, Robert de

Northumberland

L. & P. 25 pt. 1, m 14 d; 15 March.

29 pt. 2, m 8 d; 20 Dec. (void).

‡ Turbervill, Richard (de)

Dorset

L. & P. 25 pt. 1, m 15 d; 15 March.

28 pt. 2, m 13 d; 20 Jan.

29 pt. 2, m 8 d; 20 Dec.

Twyer, Robert de

York, E. R.

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Tybey, Robert

Carlisle

26 pt. 3, m 1 d; 1 Jan.

Tyndale, William de

Northants.

28 pt. 2, m 13 d; 26 Nov.

30 pt. 1, m 17 d; 26 March.

‡ Tyrel, Tirel, Tyrell, Thomas

Essex

27 pt. 1, m 24 d; 3 June.

28 pt. 1, m 22 d; 2 July.

29 pt. 2, m 8 d; 28 Aug.; *ibid.*, 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

33 pt. 1, m 27 d; 6 March.

Tyrel, Thomas, the elder

Essex

27 pt. 2, m 25 d; 8 Nov.

("Quibusdam certis de causis," his place is taken
by J. de Goldyngham and B. de Ditton. 27 pt.
2, m 25 d; 22 Jan.)

Ufford, John de

Norfolk

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 14 d; 15 March.

Ufford, Robert de, earl of Suffolk

Norfolk

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 14 d; 15 March.

Suffolk

L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Ughtred, Oughtred, Thomas (de)

York, E. R.

L. & P. 25 pt. 1, m 14 d; 15 March.

York, N. R.

ditto

("Certis de causis coram consilio," he is ap-
pointed to do other business of the king;

therefore he is no longer to act on either of
the two above commissions. Claus. 26 m. 25
d; 10 March.)

Scarborough

28 pt. 2, m 13 d; 3 Oct.

29 pt. 1, m 28 d; 14 Feb.

30 pt. 3, m 17 d; 30 Oct.

Umframvill, Gilbert de, earl of Angus

Holland and Kesteven (Linc.)

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Holland (Linc.)

L. & P. 25 pt. 1, m 14 d; 15 March.

Lindsey (Linc.)

(Referred to) L. & P. for 24 Edw. III, Assize Roll,
524, Lincoln; app., C, 2.

25 pt. 1, m 14 d; 15 March.

‡ Upsale, John

York, N. R.

31 pt. 1, m 20 d; 5 Feb.

Kingston-on-Hull

27 pt. 1, m 24 d; 12 Feb.

Usflet, Ousseflete, Usfeld, Usflete, Illard de

York, E. R.

L. & P. 26 pt. 1, m 8 d; 6 May (in place of J. de
Bentele.)

29 pt. 2, m 8 d; 20 Dec.

Wap. of Herthill and Hovedenshire, E. R.

28 pt. 1, m 22 d; 2 July.

Hospital of St. Leonard of York

30 pt. 1, m 17 d; 20 July.

Lib. of Holderness

L. & P. 26 pt. 1, m 21 d; 20 Feb.

Prince of Wales' manor of Kirton in Lindsey (Linc.)

30 pt. 1, m 17 d; 20 May.

30 pt. 3, m 17 d; 15 Nov.

Vache, Richard de la

Bucks.

28 pt. 2, m 13 d; 2 July.

‡ Vavasour, John le

York, W. R.

27 pt. 1, m 24 d; 3 July.

Vepount, Robert de

Cumberland

29 pt. 2, m 8 d; 30 Nov.; *ibid.*, 20 Dec.

‡ Verdon, Verdoun, John de

Northants.

L. & P. 25 pt. 1, m 14 d; 15 March.

28 pt. 2, m 13 d; 25 July. (Vacat quia
restitute sunt.)

‡ Virly, Roger (Virby in the first two instances, perhaps by a
clerical error)

Norfolk

L. & P. 24 pt. 1, m 23 d; 20 Feb.

L. & P. 25 pt. 1, m 14 d; 15 March.

27 pt. 2, m 25 d; 22 Nov.

28 pt. 1, m 22 d; 26 June.

Except Lynn

29 pt. 2, m 8 d; 30 Nov.; *ibid.*, 20 Dec.

‡ Vykers, John atte

Retford-in-the-Clay

27 pt. 1, m 24 d; 20 June.

Vyneter, John

Northants.

L. & P. 25 pt. 1, m 14 d; 15 March.

Vyneter, Robert

Kent

L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Wade, William

Rutland

L. & P. 25 pt. 1, m 14 d; 15 March.

28 pt. 2, m 13 d; 2 July.

29 pt. 1, m 28 d; 12 July.

29 pt. 2, m 8 d; 20 Dec.

31 pt. 1, m 20 d; 5 Feb.

‡ Wakebrigg, Wakebrigg, Wakebrugg, Wakebrugge, William de
Derby

L. & P. 25 pt. 1, m 13 d; 20 July (assoc.).
28 pt. 2, m 13 d; 2 July.

Notts.

L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 26 Jan.
29 pt. 2, m 8 d; 20 Dec.
30 pt. 1, m 17 d; 15 April.

Retford-in-the-Clay

27 pt. 1, m 24 d; 20 June.

Walden, Andrew de

Essex

L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).

Waleys, John

Leicester

L. & P. 25 pt. 1, m 13 d; 27 Oct. (assoc.).

Walton, Adam de

Northumberland

31 pt. 1, m 20 d; 5 Feb.

‡ Walton, Hugh de

Norfolk

28 pt. 1, m 22 d; 26 June.

Wandesford, Wandisford, John de

York, E. R.

31 pt. 1, m 20 d; 5 Feb.

Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.

28 pt. 1, m 22 d; 2 July.

Ward, Simon, knight

York, W. R.

32 pt. 1, m 34 d; 18 June.

‡ Warde, Simon

Northants.

29 pt. 1, m 28 d; 26 April.

29 pt. 2, m 8 d; 1 Oct. (assoc.); *ibid.*, 20 Dec.

32 pt. 1, m 34 d; 28 Nov.

‡ Warde, William
Cambridge

L. & P. 25 pt. 1, m 15 d; 15 March.
27 pt. 2, m 25 d; 3 Nov.

Warthecoppe, Wardecopp, Warthecop, William de
Westmoreland

29 pt. 2, m 8 d; 20 Dec.; *ibid.*, 17 Jan.
31 pt. 1, m 20 d; 5 Feb.

Warwick, earl of. *See* Beauchaump.

‡ Waryn, William
Town of Leicester

30 pt. 3, m 17 d; 16 Nov.

Wascelyn, Wacelyn, William
Lindsey (Linc.)

L. & P. 25 pt. 1, m 13 d; 26 May (assoc.).
Prince of Wales' manor of Kirton in Lindsey (Linc.)
30 pt. 1, m 17 d; 20 May.
30 pt. 3, m 17 d; 15 Nov.

Wassingle, Wassynge, John de
Hunts.

L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Watere, Robert atte
Herts.

L. & P. 25 pt. 1, m 15 d; 15 March.
Middlesex

L. & P. 25 pt. 1, m 14 d; 15 March.

(His place and that of J. de Munden are taken
by J. de Tamworth and W. de Colbrok; 28 pt.
1, m. 22 d; 12 April.)

Surrey

L. & P. 25 pt. 1, m 15 d; 15 March.

Wauton, Adam de
Newcastle-on-Tyne

L. & P. 26 pt. 1, m 28 d; 8 Feb.

‡ Wavere, William

Kent

29 pt. 2, m 8 d; no date. 20 Dec. Orig.

Cinque Ports

32 pt. 1, m 34 d; 20 Oct.

Wealde, Richard atte

Lib. of archbishop of Canterbury in Kent

30 pt. 1, m 17 d; 16 Sept.

Welles, Thomas

Lib. of bishop of Ely

32 pt. 1, m 34 d; 14 July.

Welton, John de

Cambridge

L. & P. 24 pt. 1, m 23 d; 20 Feb.

Wentbrigg, John de

Manors and towns of Cheshunt and Bassingbourn of the
earl of Richmond.

30 pt. 1, m 17 d; 20 March.

‡ Wentelond, Wentlond, William

Town of Huntingdon

28 pt. 2, m 13 d; 20 Jan.

29 pt. 1, m 28 d; 20 June.

Wessyngton, William de

Palatinate of Durham; wards of Chester, Darlington, Eas-
ington and Stockton, and wap. of Sadberg.

Cursitors' Records, 30, rot. 1, Hatfield, m. 5 d, no. 6;
15 June, 5th year.

Westhorp, Thomas de

Lib. of Pickering and wap. of Rydale, N. R.

30 pt. 3, m 17 d; 30 Oct.

Weston, John de, the younger

Surrey

31 pt. 1, m 20 d; 5 Feb.

‡ Weston, Thomas de

Surrey

Claus. 32 m. 23; 20 Jan. (writ for wages).

Whelere, Robert le, mayor

Wycombe

30 pt. 1, m 17 d; 20 March.

‡ Whitwebbe, Walter

Coventry

28 pt. 1, m 22 d; 28 Feb.; *ibid.*, 28 June.

Whitewell, John (de)

Herts.

33 pt. 1, m 27 d; 10 Aug.

Surrey

31 pt. 1, m 20 d; 5 Feb.

Wideryngton, Roger de

Northumberland

31 pt. 1, m 20 d; 5 Feb.

Wilby, Robert de

Leicester

L. & P. 25 pt. 1, m 13 d; 7 July (assoc.).

‡ Wilton, John de

Wap. of Herthill and Hovedenshire, E. R.

28 pt. 1, m 22 d; 2 July.

Lib. of Holderness

L. & P. 26 pt. 1, m 21 d; 20 Feb.

28 pt. 1, m 22 d; 2 July.

Kingston-on-Hull

27 pt. 1, m 24 d; 12 Feb.

Wilughton, Peter de

Lib. of St. Mary's church of Lincoln

30 pt. 1, m 17 d; 27 Oct.

‡ Wode, Peter atte

Surrey

L. & P. 25 pt. 1, m 15 d; 15 March.

(Removed; Claus. 25 m. 15, 15 Sept. See Rou-
leggh.)

28 pt. 1, m 22 d; 20 June.

29 pt. 2, m 8 d; 20 Dec.

Wolf, Hugh

Bucks.

L. & P. 24 pt. 1, m 23 d; 20 Feb.

‡ Worsop, John de

Retford-in-the-Clay

27 pt. 1, m 24 d; 20 June.

Wortley, Nicholas de

York, W. R.

L. & P. 25 pt. 1, m 14 d; 20 May.

† Wychingham, William de

Norfolk

L. & P. 25 pt. 1, m 14 d; 15 March.

(Commission revoked; Claus. 28 m. 29, 1 Feb.

See J. de Berneye.)

Wydevill, Richard de

Northants.

28 pt. 1, m 22 d; 26 April.

‡ Wyk, Robert de, of Stamford

Stamford

27 pt. 1, m 24 d; 12 Feb.

Wykham, William de

Lib. of King's Chapel of Windsor

30 pt. 1, m 17 d; 8 June.

‡ Wylughby, John de

Lindsey (Linc.)

28 pt. 1, m 22 d; 3 July.

Wylughby, Wilughby, Richard de

Essex

L. & P. 25 pt. 1, m 15 d; 15 March.

Herts.

ditto

Kent

ditto

Surrey

ditto

Sussex

ditto

‡ Wyngefeld, Thomas de
Sussex

28 pt. 1, m 22 d; 20 June.

‡ Wynton, John de
Southampton

31 pt. 1, m 20 d; 5 Feb.

Yve, John

Manors, etc., of duke of Lancaster in Kent, Essex, Sussex
and Midd.

30 pt. 3, m 22 d; 28 Oct.

Zouch, Roger la
Leicester

L. & P. 25 pt. 1, m 14 d; 15 March.

Zouche, William de la, of Toteneye
Northants.

(Referred to) L. & P. 25 pt. 1, m 13 d; 8 Nov. (in
assoc. of J. de Eston).

4. *List of territorial districts for which separate commissions
for labourers were issued during the years 1352-1359.*

This list is, of course, made up from the same sources as
are the two preceding lists, but in the case of the franchises it
aims to give the title more fully than is possible in either list 2
or list 3.

I. Geographical counties.

Bedford, Berkshire, Buckingham, Cambridge, Corn-
wall, Cumberland, Derby, Devon, Dorset, Essex,
Gloucester, Hereford, Hertford, Huntingdon,¹ Kent,
Leicester, Middlesex, Norfolk,² Northampton, North-
umberland, Nottingham, Oxford, Rutland, Shropshire,
Somerset, Southampton, Stafford, Suffolk, Surrey,
Sussex, Warwick,³ Westmoreland, Wiltshire, Wor-
cester.

Total, 34

¹ In the 29th year, the town of Huntingdon was excepted.

² Similarly, the town of Lynn. ³ Similarly, the town of Coventry.

II. Divisions of counties.

- a. Lincolnshire; Holland, Kesteven, and Lindsey.
Yorkshire; East, North and West Ridings.
Isle of Wight.

Total, 7.

- b. Groups of wapentakes and liberties.

Yorkshire.

East Riding.

Bucrose, Derwent, Dickering, and Ouse.

Herthill and Hovedenshire.

North Riding.

Allerton, Birdforth and Richmond.

Bulmer and Rydale.

Cleveland and Pickering.

Pickering and Rydale.

West Riding.

Ainsty, Barkston, and Claro.

Claro, Ewcross, Skyrack and Staincliffe.

Total, 8.

III. Towns. (The ‡ indicates those that received a commission of the peace separate from that of the county.)

‡ Beverley, Boston, ‡ Carlisle, Cinque Ports, ‡ Coventry, Exeter, ‡ Grimsby, ‡ Huntingdon, ‡ Kingston-on-Hull, ‡ Leicester, Lincoln, London, ‡ Lynn, ‡ Newark, Nottingham, Oxford, ‡ Retford-in-the-Clay, ‡ Scarborough, ‡ Shrewsbury, Southwell, ‡ Stamford, Wycombe.

Total, 22.

IV. List of franchise owners and their franchises and dates of commissions. (The ‡ indicates those who appeared in the exchequer to claim the penalties; *cf.* pt. i, ch. iii, s. 2, B; the last number in each date is the regnal year.)

‡ Abbot of Peterborough,	in Northants.	20 June/28.
‡ Abbot of Reading,	in Berks.	12 Jan./29.
	Leominster in Hereford.	1 May/30.

Abbot of St. Mary of York.	20 June/29.
‡ Archbishop of Canterbury, in Kent.	16 Sept./30.
Archbishop of York, Ripon.	20 March/28.
	28 April/30.
Bishop of Durham, Howden.	12 Oct./30.
Bishop of Ely, in Cambridge.	14 July/32.
Church of St. Paul, London, in manors, hundreds, towns, hamlets, lands and fees in Essex, Herts., and Midd.	11 Sept./30.
Dean and chapter of St. Mary's church of Lincoln, Asgarby, Frithorpe, Navenby and Welton.	27 Oct./30.
Dean and chapter of St. Peter of York.	8 Nov./28.
‡ Duke of Cornwall, honours of Wallingford, St. Valery, and Berkhamstead, and all other hundreds, towns and hamlets belonging to above in Bedf., Berks., Bucks., Herts., Midd., and in Lincolnshire.	8 July/30.
‡ Duke of Lancaster, all manors, hundreds, towns, hamlets, lands and fees in Lincolnshire.	8 June/30.
in West Riding of York.	16 Oct./30.
all manors, hundreds, towns, hamlets, lands and fees in Essex, Kent, Midd., and Sussex.	28 Oct./30.
Earl of Albemarle, Liberty of Holderness.	2 July/28.
	1 March/29.
‡ Earl of Richmond, Liberty of Richmond. ¹	10 Feb./28.
manors and towns of Cheshunt and Basingbourn.	20 March/30.
Hospital of St. Leonard of York, in Yorkshire.	20 July/30.
‡ Prince of Wales, manor of Kirton in Lindsey (Linc.).	20 May/30.
	15 Nov./30.

¹ Often called "county."

Prior of Bustlesham, at Bustlesham and elsewhere in Berks.	8 May/30.
‡ Queen Isabel, in towns of Cambridge and Cherterton.	10 July/30.
‡ Queen Philippa, Liberty of Knaresborough.	26 July/30.
Warden and College of Kings' free chapel of Windsor in Berks.	8 June/30.
Total, 24.	

V. Counties palatine.

Chester.

Lancaster.

Total, 2.

Total of the 5 groups, 97.

C. LOCAL COURTS UNDER CROWN-APPOINTED JUSTICES. (*Cf.* pt. I, ch. ii.)

1. Quarter sessions records.
2. Records illustrating the supervision of the justices in session.

1. *Quarter sessions records.* (*Cf.* pt. I, ch. ii, 1-6.)

INTRODUCTORY NOTE.

The commonly accepted opinion has been that, with the exception of one wages assessment for 1431, no quarter sessions records of earlier date than the 16th century are in existence;¹ at any rate none have been discovered by the author of the latest treatise on the justice of the peace.² Further, there is no reference to this class of records in Gross' summaries (*cf.* app., 4), in Scargill-Bird's *Guide*, or in the preface and table of contents of the *List of Plea Rolls of various courts preserved in the Public Record Office*, prepared by the latter. My suspicions were, however, aroused by Palgrave's statement, made as recently as 1836, that rolls of justices of the peace and of justices of labourers were included among the Treasury records.³ With the thought of a possible mis-classification in my mind, I examined the *List of Plea Rolls*, under the heading "Eyre Rolls, Assize Rolls," etc., and there found seven rolls for the decade 1349-1359 described as containing proceedings before justices of labourers. Moreover, a roll for Rutland clearly noted in an old list of Assize Rolls⁴ as consisting of proceedings before the justices of labourers, re-appears in the *List of Plea Rolls*, listed in such a fashion that its nature cannot be inferred. This incident convinced me that there were more such rolls that had similarly escaped identification, and that an exam-

¹ A brief account of these records has already appeared in my article in *E. H. R.*, 530-536.

² See preface to Beard's *Justice of the Peace*.

³ *Ancient Kalendars and Inventories of the Treasury*, i, introduction, lii.

⁴ *General Report on Public Records*, 1837, app., 53.

ination of all the so-called "Assize Rolls" for every county for the decade 1349-1359 would be well worth while. The result was the discovery of eight more sessional records, which, with the Rutland roll and with the seven that had been correctly described, gave a total of sixteen. One of these had been translated and printed in a local archæological journal, but as far as I know had never attracted attention.¹

It also seemed advisable to examine Ancient Indictments, classed in Scargill-Bird's *Guide* under "King's Bench, Crown side," the manuscript list giving no clue to contents, but merely the county and regnal year of each roll. The series is in a very bad condition; the membranes are crumpled and thick with dust, and are fastened together by parchment strings through holes in the middle of each, so tightly drawn that the manuscript is easily torn and that deciphering the portions near the strings is almost impossible. An examination of the whole series for the decade, as far as was possible under these adverse conditions, revealed the fact that in addition to many rolls of indictments *coram Rege* for offences against the statutes of labourers, there are also two rolls of proceedings before justices of labourers. Several rolls of the keepers of the peace for this decade were likewise identified,² quite by chance, as well as several for a later period;³ it is, therefore, probable that for the next century more such records are in existence and will be discovered by an exhaustive search through Assize Rolls and Ancient Indictments.

There are also references to, or transcripts of, particular proceedings before justices of labourers in the pardons for outlawry recorded on the Patent Rolls,⁴ and in the rolls of exigends of offenders convicted before the justices to be pro-

¹ Cf. app., C, 1, no. XVI.

² Assize Rolls, Bedford, 32; Ancient Indictments, Somerset, 104. For a fuller account of these cf. my article in *E. H. R.*, 535, note 139.

³ Assize Rolls, Bucks., 76; Warwick, 976; Ancient Indictments, Norfolk, 80 (called to my attention by Mr. Edgar Powell); Oxford, 98. Cf. my article, *loc. cit.*, note 140.

⁴ Cf. *e. g.*, app., C, 1, no. XVIII.

claimed in the county courts. One roll of exigends appears unexpectedly among Ancient Indictments,¹ and three others among Coroners' Rolls, although the description given in *List of Plea Rolls* does not adequately indicate the nature of these last three.² The Gaol Delivery Rolls undoubtedly contain more information as to convictions before justices of laborers, but unfortunately have not been included in my search.³ It has already been shown that in connection with the supervision of the justices in session, exercised by the central government, proceedings before them were sometimes removed into a higher court and were thus preserved;⁴ a few of these are given in app., C, 2. There has also proved to be evidence in exchequer documents⁵ that, for a while at least, sessional records similar to those actually discovered were in existence, but for the decade 1349-1359 these eighteen rolls are the only ones that I have found that can legitimately be described as records, more or less complete, of sessions of justices of labourers, of the separate or of the joint commissions. It is unnecessary to repeat here the proof of the theory that there is a special explanation of the survival of each of these rolls and of the belief that at this date there was no regular system for the preservation of sessional records.⁶ In the following pages extracts from each of the eighteen rolls are given, with the exception of the one in print; and also when possible the particular reason for its survival.⁷ The title of each roll as it stands in the official catalogue is given, the asterisk indicating the rolls that are at present inadequately described; the Roman numerals refer merely to the order in my list.

¹ Cf. app., C, 1, no. XVIII.

² *Ibid.* One naturally infers that only the rolls described as containing exigends belong to this class. Gross in *Select Cases from Coroners' Rolls*, 118, prints an example of an exigend of an offender against the statute for the year 1363.

³ Cf. *List of Plea Rolls*.

⁴ Pt. 1, ch. ii, s. 1, and s. 7.

⁵ Cf. pt. 1, ch. ii, s. 1.

⁶ *Ibid.*

⁷ *Ibid.*

1. Quarter sessions records.

Extracts from Ancient Indictments and Assize Rolls.

‡ I. Chester, Palatinate of; Eyre Roll, 13. 11-25 Edw. III.
84 membranes.

Placita coram Thoma de Ferrariis Justiciario Cestriae, in itinere suo apud Macclesfield.

Indictamenta Hundredi de Macclesfield.

Placita et Deliberatio Gaolae.

Intermixed with the membranes containing proceedings before de Ferrariis and stitched to them, are membranes of proceedings before the justices of labourers. Similarly in the two following rolls, II and III, there is an intermixture of the records of de Burgerssh with those of the justices of labourers.

m. 1. Indictamenta coram Roberto de Leghe de operariis et seruientibus per commissionem¹ domini comitis apud Macclesfeld, die Lune proximo post festum Sancti Marci Euaungeliste, anno regni Regis Edwardi tercii a conquestu vicesimo sexto.

(Presentments under oath by jurors.)

et quod Iohannes ‡² le Tayllour de Wylmeslowe fregit statutum ad dampna populi xl d. Et quod Ricardus filius Roberti filii Gybbe fregit statutum ad dampna ii s.

Et quod Thomas Boney ‡ noluit servire et fregit statutum ad dampna xl d. . . . Et quod Robertus filius Walteri del Mor, Henricus de Hyrdefeld, Nicholaus filius capellani exierunt a patria ad operandum ad dampna, quilibet eorum ii s.

¹ I have been unable to find on the Recognizance Rolls a reference to any commission until that of 1360; *cf.* pt. I, ch. i, s. 1.

² Throughout these sessional records the mark ‡ indicates that in the original "finis" or "finem fecit" or "fecit finem" is written over the name.

Et quod Margeria ‡ filia Roberti, Iohanna ‡ le Webster, Cecilia ‡ de Ashton, Benedictus ‡ le Strenger, Alicia ‡ de Hargreve, Willelmus ‡ filius Roberti fregerunt statutum et exierunt a patria ad dampna, quilibet eorum vi d.

‡ II. Chester, Palatinate of; Indictment Roll, 19. 27-38 Edw.
III. 47 membranes.

Indictamenta Villae et Hundredi de Macclesfield coram Bartholomaeo de Burgerssh.

m. 3. Indictamenta apud Macclesfield coram Roberto de Legh et Willelmo de Maynwaryng assignatis per commissionem domini comitis Cestrïe ad inquirendum de operariis et artificibus qui statutum domini Edwardi Regis nunc de eisdem nuper editum fregerunt, die Mercurii proximo post festum Sancti Andree apostoli anno regni vicesimo septimo.

(Presentments under oath by jurors of a long list of receivers of excess wages.)

Dicunt quod Dykon Dryebred, triturator, cepit mercedem superfluam ad dampna populi vi d. . . . Et quod Ricardus de Bouland ‡ (manu captus), communis operarius, cepit mercedem superfluam ad dampna vi d.

Et quod Adam Duncalf, ‡ sutor, fregit statutum ad dampna populi xii d.

Et quod Ricardus Filiaster, ‡ Henricus le Fycher ceperunt salarium excessivum ad dampna vi d.

Et quod Adam ‡ (manu captus) Brid, salter, dedit salarium excessivum ad dampna vi d.

Et quod Emma (manu capta ponit se) Walrane cepit

ii d. quadam die in autumpno ab hora prima diei vsque noctem et fregit statutum.

Indictamenta ville de Macclesfeld coram Roberto de Legh et Willelmo de Maynwaryng die et anno infrascriptis.

(Many presentments for the receipt of excess wages.)

Thomas de Tydryntone, capellanus, cepit mercedem superfluam ad dampna populi xl d.

m. 9 b. Indictamenta operariorum et seruiencium coram Roberto de Legh et Willelmo de Maynwaryng iusticiariis assignatis ad inquirendum de huiusmodi, apud Macclesfeld, die Lune in festo Convercionis Sancti Pauli, anno regni . . . tricesimo.

Iuratores . . . dicunt super sacramentum suum quod . . . et Thomas, filius Roberti filii Madyn, exiuit a seruicio Iohannis de Dokenfeld et extra patriam et quod Roesia soror eius exiuit a patria tempore autumpni.

Et quod Ricardus, ‡ filius Ricardi filii Hamonis, operarius, exiuit a patria et procurat alios exire . . . Et Radulphus de Shelladon, ‡ falcator, Willelmus ‡ de Hethylegh, falcator, ‡ Thomas de Shagh, ‡ falcator, Thomas, ‡ filius Ricardi filii Roberti de Hulm, ‡ messor, Thomas de Denebrok, ‡ messor, exierunt a patria. . . .

Et Henricus, filius Symonis le Mulward, noluit seruire Hugoni del Sherd et erat vacans. . . .

Et Ricardus de Bouland ‡ (manu captus), tasker, cepit mercedem superfluam.

m. 16 b. (X). Hundredum de Macclesfeld.

Inquisicio capta coram Roberto de Legh et Willelmo de Maynwaring iusticiariis assignatis apud Macclesfeld ad inquirendum de operariis et artificibus per commissionem domini comitis Cestr', die Lune prox-

imo post festum Invencionis Sancte Crucis anno regni
. . . . tricesimo primo.

(Presentments under oath by jurors of a long list
of both takers and givers of excess wages.)

Dicunt quod Henricus Hennerissone, ‡ mower, manens in Aldurlegh, cepit salariam excessivam. . . .
Et quod Willelmus de Wakefeld, barker, ‡ fregit statutum et dat operariis mercedem excessivam. . . .
Et quod Iohannes, filius Ricardi de Overaldurlegh, falcator, cepit mercedem excessivam et exiuit a patria.

Henricus ‡ le Fyscher, messor, cepit mercedem excessivam et cepit tres denarios cum prandio per diem.

Et quod Willelmus ‡ le Ledbetere dat mercedem Thome de Heghleghe pro opere suo unius diei absque conuencione septem denarios cum prandio.

m. xiii and m. 22 b (xvi) contain similar indictments, "coram Roberto de Legh et sociis suis," for the 32nd and 33rd years.

‡ III. Chester, Palatinate of; Indictment Roll, 4. 27 Edw. III
—I R. II. 45 membranes.

Indictamenta de Officio ad Comitatum Cestriae.

m. 10 [33rd year].¹

Indictamenta operariorum et servientium coram Roberto de Leghe per sacramentum Petri de Ardene et aliorum, qui dicunt super sacramentum suum quod Hamo le Roder, laborer, et Ricardus filius Iohannis exierunt de patria. Et quod Tille, filia Radulfi del Clyf, exiuit de patria. Et quod Iohannes Wytkurtill, labarator, cepit mercedem excessivam. Et quod Isabella Wybot et Elena del Hurrok, messor, exierunt de

¹ All the entries on this membrane are of the 33rd year.

patria. Et quod Alicia Hughet, Iohannes Scot, messor, Ricardus le Fycheler, Isabella de Euresdale, messor, Willelmus frater Alicie de Berneslegh, exierunt a patria. Et quod Ricardus de Skarchesdale, sutor, Adam de Gaunt, falcator, Iohanna de Brunyn-ton, spynner, Agnes le Dycher, Alicia Coppok, messor, Matilldis de Roker, ceperunt mercedem excessium. Et quod Iohannes de Shepelegh, et Agnes Bunnyng, seruiens Ricardi Fyton, exierunt a patria. Et quod Iohannes Doye, fletcher, et Iohannes le Fycheler, laborer, cepit nimium stipendium. Et quod Sarra, filia Ade filii Willelmi, messor, Hugo Roberdesknave, Margeria, filia Ricardi filii Radulfi, Agnes de Werynton, reper, Henricus de Heppal, falcator, Thomas le shepherd, quondam seruiens Ricardi Chaumpeyne et Willelmus, filius Mowe filii Hond', exierunt de patria. Et quod Rogerus Bugge, taillour, cepit nimium stipendium etc.

IV. Assize Roll, Cornwall, 125. 32-33 Edw. III. 8 membranes.

Recorda et processus Sessionis W. Polglas et R. Ceriseaux Justiciariorum ad ordinationes et Statuta de Operariis et Artificibus custodienda.

- m. 1. Cornub'. Recorda et processus sessionum Willelmi Polglas et Ricardi Ceriseaux le pier iusticiariorum domini Regis ad ordinationem et statuta de operariis et artificibus ac eciam mensuris et ponderibus custodienda in comitatu predicto assignatis.

De terminis Annunciacionis Dominice, Sancte Margarete, Sancti Michaelis et Sancti Nicholai anno regni Edwardi tercii xxxii^{do}, Annunciacionis Dominice, Sancte Margarete et Sancti Michaelis anno eiusdem Regis tricesimo tercio.

On 20 Feb., 1358, the above were appointed justices of labourers and of weights and measures; see "List of justices,"

app., 109 and 63. On 4 Nov., 1359, the writ of *supersedeas* was issued; app., 31-32.

This roll contains seven sessions of ten days each, one of the most complete records that I have found; for this reason one of these sessions has been chosen for printing in full.

m. 2. Sessiones predictorum iusticiariorum apud Penryn, die Lune proximo post festum Sancte Margarete, anno Regis nunc xxxii^{do}.

Quo die vicecomes retornauit preceptum suum ad plenum. Iurati diuersorum hundredorum presentant quod decennarius et decenna de Arwythel, decennarius et decenna de Keuel, decennarius et decenna de Treuewith, decennarius et decenna de Rosnetthon, decennarius et decenna de Trelyuer, decennarius et decenna de Trelan, decennarius et decenna de Treleweran, decennarius et decenna de Lishard, decennarius et decenna de Lucyes, decennarius et decenna de Carmynon, nullos cippos habuerunt in decennis predictis. Qui quidem decennarii cum decennis predictis exacti venerunt et allocuti inde hoc contradicere non potuerunt; ideo ipsi in misericordia, vt patet in extractis liberatis scaccario domini Regis et sic similiter patet in eisdem extractis de omnibus amerciamentis, finibus, excessibus et exitibus forisfactis coram prefatis iusticiariis de omni tempore huiusmodi recordi et processus. Et predicti decennarii cum decennis suis statim postea cippos suos parauerunt et duxerunt etc.

Decennarius et decenna de Cleer, decennarius et decenna de Sancto Mangano, decennarius et decenna de Wynnynton, decennarius et decenna de Prispynnoc, separatim exacti ad deseruiendum curie et responsuri pro decennis suis non venerunt quando exacti sunt; ideo ipsi in misericordia vt patet in extractis. Et postea venerunt et fecerunt presentamentum suum etc.

Iohannes de Trethewy, Robertus Trefuis, Iohannes Cararthek, Ospertus Tremogh,¹ constabularii in diu-

¹Twelve others named.

ersis parochiis exacti ad reddendum retorum suum non venerunt: ideo ipsi in misericordia, et postea venerunt etc.

Decennarius et decenna manerii de Helliston, decennarius et decenna de Risiaren, exacti ad presentamentum etc., non venerunt; ideo ipsi in misericordia. Et postea venerunt predicti.

Die Martis.

Iurati diuersorum hundredorum presentant quod Ricardus Knap, molendinarius, Nicholaus Rosauon, David Godolghan, Rogerus Baker, molendinarius, Radulphus Cail, Iohannes Peron, Iohannes Oस्पern de Kenegy, decennarius et decenna de Pengersek, Iohannes Hikka, Iohannes Baret, Henricus Wydel, Fabianus, molendinarius, Elias, molendinarius,¹ Iohannes Iargon, carpentarius,² decennarius et decenna de Tre-ros, decennarius et decenna de Penseghnans, decennarius et decenna de Minstre,³ decennarius et decenna de Tucois, decennarius et decenna de Predannoc, decennarius et decenna de Methete, decennarius et decenna de Quenna, decennarius et decenna de Treyicthal, Iohannes Fraunces, Alanus Tregellest,⁴ Iohannes Man, molendinarius, decennarius et decenna manerii de Helliston, Galfridus Tresaglarn,⁵ Gilbertus Webb,⁶ Ricardus, molendinarius de Lishard, Thomas de Treworgy, Rogerus West, Adam West, Robertus Corny vtebantur diuersis falsis mensuris et ponderibus contra formam statuti domini Regis de mensuris et ponderibus editi. Ideo preceptum est vicecomiti quod attachiat omnes prenomatos contra diem Mercurii proximum apud Penryn.

Die Mercurii.

¹ Five others named. In this list and in those following I have printed all the names in connection with which there is any clue to the occupation of the offender.

² Ten others named.

³ Repeated.

⁴ Seven others.

⁵ Fourteen others.

⁶ Four others.

Quo die vicecomes respondit quod predicti Ricardus Knap, Nicholaus et ceteri omnes supranominati attachiati sunt per separatas pleuinas etc. Qui omnes exacti venerunt. Et allocuti super presentamentum predictum dicunt quod non sunt inde culpabiles et ponunt se super patriam. Ideo predictum est vicecomiti quod statim venire faciat xii etc.; iuratores inter dominum Regem et personas predictas electi, triati et iurati, dicunt quod predicti Rogerus West, Adam West et Robertus Corny non sunt culpabiles. Ideo consideratum est quod eant quieti. Set predicti Ricardus Knap, Nicholaus Daud et ceteri prenominati culpabiles sunt; ideo ipsi arrainiantur et fecerunt finem per diuersas pleuinas, vt patet in extractis etc.

Compertum est quod Iohannes Luky et Thomas Bosnail, constabularii parochie Sancti Maimani concellant diuersos operarios et seruitores. Ideo constabularii in misericordia etc. Compertum est quod Henricus Payn et Benedictus Clak, constabularii parochie Sancti Rumoni, concellant diuersos operarios et seruitores ac eciam mensuras et pondera falsa. Ideo dicti constabularii in misericordia etc.

m. 2 d.

Die Iouis.

Iurati presentant quod Iohannes Clegh, iunior, Nicholaa Karn, Dionisia Trethak, Thomas Tremenhir, Iohanna Nichol, Ricardus Gorben, Iohannes Coly,¹ Iohannes Sebill, taillour, Iohannes Henri,² Iohannes, seruiens Henrici Nanfan, Ricardus Polgrim,³ Iohannes, seruiens Thome Mewes, ceperunt salaria, mercedes et lucra excessiua in diuersis artificiis et mercandisiis suis contra formam statuti domini Regis etc. Ideo preceptum est vicecomiti ipsos attachiare contra diem Veneris apud Penryn, quod tunc sint coram prefatis iusticiariis etc.

Compertum est quod decennarius et decenna de

¹Sixteen others.

²Thirty-one others.

³Five others.

Trewrabo mutauerunt quemdam bussellum in presencia iusticiariorum ad deceptionem curie; ideo ipsi in misericordia.

Die Veneris.

Viccomes respondit quod predicti Iohannes Clegh, Nicholaa Karn et ceteri omnes prenominati attachiati sunt separatim per diuersas pleuinas; et tunc ipsi exacti etc. Predicti Iohannes Clegh, iunior, Nicholaa Karn, Dionisia Trethak et Thomas Tremenhir non venerunt. Ideo plegii eorum in misericordia etc. Et preceptum est vicecomiti ipsos capere contra diem Sabbathi proximum apud Helleston coram prefatis iusticiariis etc. Et predicti Iohanna Nichol, Ricardus Gorbenn, Iohannes Coly et ceteri prenominati veniunt et dicunt quod non sunt culpabiles de hoc quod predicti iurati superius presentant et ponunt se super patriam etc. Ideo preceptum est vicecomiti quod venire faciat xii etc. apud Helleston die Sabbati proximo coram predictis iusticiariis etc.

Iurati diuersorum hundredorum presentant quod Petrus Trewethynek, Reginaldus Gelon¹ Baldwinus, molendinarius de Trelan,² Thomas, molendinarius de Treyntheus,³ Reginaldus Beonyle, molendinarius,⁴ decennarius et decenna de Merthyn, Walterus Trestan, decennarius et decenna de Keuel,⁵ Radulfus vicarius Sancti Constantis, Nicholaus Mols,⁶ prior Sancti Iohannis, Iohannes Goffenyn,⁷ vtebantur falsis mensuris et ponderibus diuersis contra formam statuti domini Regis inde prouisi etc. Ideo preceptum est vicecomiti ipsos attachiare contra diem Sabbati proxime futurum apud Helleston coram prefatis iusticiariis etc.

Die Sabbati.

Viccomes respondit quod predicti Iohannes Clegh,

¹ Eight others.

² Eighteen others.

³ Twelve others.

⁴ Seven others.

⁵ Ten others.

⁶ Thirteen others.

⁷ Twenty-one others.

iunior, Nicholaa Karn, Dionisia Trethak et Thomas Tremenhir capti sunt et sunt in custodia sua. Qui exacti venerunt et allocuti super presentamento predicto dicunt quod non sunt culpabiles et ponunt se super patriam etc. in quam predicti Iohanna Nicol, Ricardus Gorben, Iohannes Coly et ceteri socii sui prenominati se posuerunt etc. Ideo preceptum est vicecomiti quod statim venire faciat xii etc. ad faciendum iuratam etc. Iuratores inter dominum Regem et partes predictas electi, triati et iurati, acquietant predictos Iohannem Clegh, Nicholaam Karn, Dionisiam Trethak et Thomam Tremenhir de excessibus et transgressionibus superius presentatis. Ideo ipsi quieti recedant etc. Et predicti Iohanna Nicol, Ricardus Gorben, Iohannes Coly et ceteri socii sui prenominati culpabiles sunt. Ideo ipsi arrainiantur et fecerunt finem vt patet in extractis liberatis scaccario Regis.

Et quoad predictos, Petrus Trewethynek, Reginaldus Gelon, Iohannes Lauri et ceteri socii sui superius nominati exacti venerunt. Et allocuti super presentamento predicto dicunt quod non sunt culpabiles et ponunt se super patriam. Ideo preceptum est vicecomiti quod statim venire faciat xii etc. Iuratores, electi, triati et iurati, dicunt quod predicti Petrus, Reginaldus et alii superius nominati culpabiles sunt. Ideo arrainiantur et fecerunt finem vt patet in extractis.

Ricardus Moil et Daniel Treueldras, constabularii parochie Sancte Wendrone, exacti ad deseruiendum curie non venerunt. Ideo ipsi in misericordia etc.

Robertus Carartheke conuictus de contemptu et le-
sione statuti etc. fecit finem vt patet in extractis.

Iurati diuersorum hundredorum presentant quod Gregorius, seruans Willelmi Brit, Iohannes, seruans Iohannis Gros, Iohanna, seruans Natalis Pennalwyn, Martinus, molendinarius, Iohannes Thomas, Iohannes Towith, seyner, Thomas Eir, Philippus Roger, Lucia Iwynes, Iohannes Eir, Iohannes Marsely, tanner,

Michael Mallyn, Robertus, seruiens Petri Trewethyneke, Nicholaus Man, Radulfus Vyghan, Iohannes Meyn, glouer, Nicholaus Yust, Pascasius Tey, Iohannes Molon, Iohannes Teudaunt, seutor, Iohannes Hosteway, Petrus Huy, Iohannes Marsely, seruaunt, Iohannes Shorham, webb,¹ Iohannes Brun, taillour, Iohannes Smale, taillour, ceperunt et quidam illorum dederunt salaria et lucra excessiua in diuersis operibus et artificiiis suis contra formam statuti domini Regis etc. Ideo preceptum est vicecomiti quod ipsos attachiat quod sint apud Helleston die Lune proxime futuro coram prefatis iusticiariis inde responsuri.

Daniel Treueldras et Ricardus Moil, constabularii parochie Sancte Wendrone, exacti ad reddendum retorum suum, non venerunt debito tempore; ideo ipsi in misericordia.

Radulfus Cayl et Iohannes Peron exacti ad reddendum diuersas mensuras suas non venerunt; ideo ipsi in misericordia. Et preceptum est vicecomiti ipsos distringere contra diem Lune proxime futurum.

Iohannes Ospern de Kenegy, exactus ad reddendum mensuras suas, non venit quando fuit exactus; ideo ipse in misericordia. Et postea tarde venit et reddidit.

Die Lune.

Quo die vicecomes respondit quod predicti Gregorius, seruiens Willelmi Brit, Iohannes, seruiens Iohannis Gros et ceteri socii prenominati, attachiati sunt per diuersas pleuinas. Qui exacti venerunt omnes mane, preter Thomam Eir cuius plegius in misericordia quia ipsum non habet etc. Et postea eodem die predicti Gregorius et ceteri omnes illa vice nominati exacti venerunt, et allocuti super presentamento predicto, dicunt quod non sunt culpabiles et ponunt se super patriam. Ideo preceptum est vicecomiti quod venire faciat xii etc. contra diem Martis proximum apud Helleston etc.

¹ Four others.

Radulfus Cayl et Iohannes Peron exacti ad reddendum mensuras suas non venerunt. Ideo manucaptores sui in misericordia. Et ipsi forisfecerunt excessus; et preceptum est vicecomiti ipsos distringere contra diem Martis proxime futurum etc.

Iohannes Marsely, seruant, et Iohannes Roby, conuicti de transgressione, videlicet de excessu capto contra statutum, fecerunt finem etc.

Iacobus de Beson et plegii sui in misericordia quia non prosecutus est versus Odonem Beson in placito transgressionis.

Iohannes Penros et plegii sui in misericordia quia non prosecutus est versus Aliciam Coly in placito transgressionis etc.

Iacobus Trefusis et plegii sui in misericordia quia non prosecutus est versus Agnetem Kirrigan in placito transgressionis.

Willelmus Kakyliek et plegii sui in misericordia quia non prosecutus est versus Aliciam Treuaichny in placito transgressionis.

Walterus Drew de Treuane et plegii sui in misericordia quia non prosecutus est versus Iohannem Oen in placito transgressionis.

Henricus Synter et Iohanna Synter, conuicti de transgressione et excessu facto contra statutum, fecerunt finem etc.

Iohanna Wilkyn, conuicta de excessu facto contra statutum, fecit finem etc.

Willelmus Polhorman presens in curia exactus et preceptus iurare recusauit hoc facere; ideo ipse in misericordia etc. Et postea iurauit.

Compertum est quod Willelmus Polhorman affirmavit falsam querelam versus Iohannam Peruel in placito transgressionis, videlicet de eo quod ipsa recusauit ei deseruire; ideo ipse in misericordia. Willelmus Trelouer affirmavit falsam querelam versus Nicholaum Sken in placito transgressionis, videlicet de

excessu ab eo capto, prout compertum est; ideo ipse in misericordia.

Robertus Carartheke et plegii sui in misericordia quia non prosecutus est versus Isabellam Aly in placito transgressionis.

m. 3. Die Martis viii die secunde sessionis anno xxxii^{do}.

Iurati diuersorum hundredorum presentant quod Iohanna Fylet, Galfridus Treuethce, Nicholaus Pynnock, Iohannes Webb de Bodely, Iohannes Rucheman, Nicholaus Iakadou, Nicholaus Cadarn, piscator, Iohannes Aly, Iohannes Iocelyn, Robertus, seruiens Ricardi Cruk,¹ Alicia, seruiens Rogeri Capa,² Edwardus Webb de Penryn³ ceperunt diversa mercedes, salaria et lucra excessiua in contemptu statuti domini Regis. Ideo preceptum est vicecomiti quod ipsos omnes attachiat contra diem Mercurii proxime futurum apud Helleston coram iusticiariis etc.

Robertus Trefuis et Robertus Carartheke, constabularii parochie Sancte Wenerpe, Iohannes Deboner et Thomas Wern, constabularii parochie Sancti Glowiat, Iohannes Michel et Iohannes Amydieu, constabularii ville de Penrin, Thomas Tremogh et Iohannes Andru, constabularii parochie Sancti Landi, Iohannes Helligoy et Tudeus Boscanan, constabularii parochie Sancti Mangani, Iohannes Iankyn et Iohannes Hendre, constabularii parochie Sancti Rumoni magni, Benedictus Clak et Henricus Payn, constabularii Sancti Rumoni parui, Robertus Rous et Willelmus Treleghyn, constabularii parochie Sancti Sithenini,⁴ exacti ad reddendum diuersa retorna pro parochiis predictis, non venerunt quando exacti fuerant; ideo ipsi in misericordia. Et postea tarde veniunt et reddunt retorna etc.

Petrus Antrenon, Willelmus Tyrel de Tuomern⁵ hac die mane exacti ad inquirendum pro Rege non

¹ Four others.

² Eight others.

³ Fourteen others.

⁴ Constables of four other parishes named.

⁵ Seven others.

venerunt; ideo ipsi in misericordia. Et postea eodem die venerunt et iurati etc.

Iohannes Trefuruo et Iohannes Day, constabularii parochie Sancti Budoci, exacti mane ad reddendum retorum suum, non venerunt; ideo ipsi in misericordia. Et postea venerunt et reddunt modo.

Decennarius et decenna de Lucyex exacti ad reddendum retorna preceptorum sibi directorum non venerunt quando exacti fuerunt; ideo ipsi in misericordia. Et postea venerunt etc.

Die Mercurii.

Decennarius et decenna de Prispynnoc exacti ad presentandum coram iusticiariis non venerunt; ideo ipsi in misericordia etc. Ricardus Rosewyk conuictus de transgressione et contemptu in presencia iusticiariorum fecit finem etc. vt patet in extractis etc.

Philippus Iakis, webb, Odo Brasigonna, Nicholaus Bon, piscator et Hillarius Webb de Sancta Stediana, conuicti de diuersis excessibus per recognitionem suam propriam arrainiantur et postea fecerunt finem. Et quoad Iohannam Filet, Galfridum Treuethec et ceteros socios suos prenomatos, vicecomes respondit quod ipsi omnes attachiati sunt per diuersas pleuinas etc. Qui exacti venerunt omnes preter Hamundum Hara-non et Robertum Treyntheno quorum plegii in misericordia quia ipsos hac vice non habent. Et postea eodem die ipsi iidem Hamundus et Robertus simul cum aliis superius nominatis exacti venerunt. Et ipsi allocuti de excessibus predictis dicunt quod non sunt culpabiles et ponunt se super patriam etc. Ideo preceptum est vicecomiti quod statim venire faciat xii etc.; iuratores inter dominum Regem et predictas personas electi, triati et iurati, dicunt quod predicti Hamundus et Robertus Treyntheno non sunt culpabiles de excessibus predictis. Ideo ipsi quieti recedant, set omnes alii predicti superius nominati sunt culpabiles. Ideo arrainiantur et postea fecerunt finem etc.

Villata de Penrin exacta et allocuta si haberent standarda parata prout alias eis preceptum fuit sub quadam pena. Inde ad presens nichil habent paratum. Ideo forisfaciant penam illam etc. prout patet in extractis etc.

Iurati diuersorum hundredorum presentant quod Iohanes Watte, webb, Iohannes Bonsohn, Willelmus Bodek, Iohannes Andru, webb,¹ Iohannes Hamely, piscator,² ceperunt diuersas mercedes, salaria et lucra excessiua in pluribus artificiis et operibus suis in contemptu statuti domini Regis etc. Ideo preceptum est vicecomiti quod ipsos attachiat contra diem Iovis proximum apud Helleston etc.

Die Iouis.

Quo die vicecomes respondit quod predicti Iohannes Watte, Iohannes Bonsohn, Willelmus Bodek et ceteri omnes superius nominati attachiati sunt per diuersas pleuinas etc. Qui exacti omnes venerunt et allocuti de excessibus et transgressionibus predictis, dicunt quod non sunt culpabiles et ponunt se super patriam etc. Et statim ipsi omnes per iuratam triatam et captam convicti sunt. Ideo arrainiantur et fecerunt finem ut patet in extractis liberatis scaccario domini Regis etc.

DATES AND PLACES OF SESSIONS.

32nd year.

m. 1.	Lostwythiel.	Monday after Annunciation. (25 March). Tuesday to Saturday.
m. 1 d.	Truru.	Monday to Thursday.
m. 2.	Penryn.	Monday after St. Margaret (20 July). Tuesday to Saturday.
m. 2 d.	Helleston.	Monday to Thursday.
m. 3.	Marghasyon.	Monday after St. Michael (29 Sept.). Tuesday to Saturday.

¹ Eighteen others.

² Six others.

m. 3 d.	Mousehole.	Monday to Thursday.
m. 4.	Medeshole.	Monday after St. Nicholas (6 Dec.). Tuesday to Saturday.
m. 4 d.	Oldestowe.	Monday to Thursday.
<i>33rd year.</i>		
m. 5.	Bodmin.	Monday after Annunciation. (25 March). Tuesday to Saturday.
m. 5 d.	Cameleford. Stratton.	Monday, Tuesday. Wednesday, Thursday.
m. 6.	Launceton.	Monday after St. Margaret (20 July). Tuesday to Thursday.
m. 6 d.	Callyngton.	Friday to Thursday.
m. 7 d.	Leskirred.	Monday after St. Michael (29 Sept.). Tuesday to Saturday.
m. 8.	Lostwythiel.	Monday to Thursday.

V. Assize Roll, Derby, 170. 31-32 Edw. III. 5 membranes.

Placita coram Godefrido Foljaumb et sociis suis (de Artificibus, etc.).

The following enrollments explain the preservation of this roll:

Mem. L. T. R., 35, Mich., Breu. Ret., rot. 13 d.

Godefrido Foliaumbe et sociis suis.

Rex dilectis et fidelibus suis Godefrido Foliaumbe, Rogero Michil et Iohanni Foucher nuper iusticiariis ad ordinationes et statuta de operariis, artificibus et seruientibus ac ponderibus et mensuris in comitatu Derb' custodienda assignatis, salutem. Mandamus vobis quod omnia recorda et processus coram vobis facta in sessionibus vestris iusticie predicte habeatis siue mittatis sub sigillis vestris ad receptam scaccarii nostri apud Westmonasterium a die Pasche proxime futuro in vnum menssem thesaurario et camerario dicti scaccarii nostri ibidem liberanda.

Teste ut supra [G. de Wilford x^o die Novembris, per barones.]

Ante quem diem predictus Godefridus venit et habet diem alibi in hiis Memorandis inter Dies Datos de hoc termino. Ideo dictum breue reuocatur et cesset.

Derb'

Preceptum est vicecomiti quod distringat predictos Godefridum Foliambe, Rogerum Michel et Iohannem Foucher nuper iusticiarios etc. per omnes terras etc. Ita etc. a die Pasche proxime futuro in vnum mensem ad liberandum ibidem omnia recorda et processus coram ipsis iusticiariis facta ¹ in sessionibus suis iusticiarie predictae.

Teste vt supra [G. de Wilford x^o die Novembris per war-rantum predictum].

Postea videlicet antequam breue emanauit dictum breue reuocatur et cesset eo quod dictus Godefridus venit et habet diem in Memorandis inter Dies Datos de hoc termino.

Cf. also Communia, Mich., rot. 6 d, Derb' De Die Dato; Datus est dies Godefrido Foliaumbe etc.

The first membrane of the roll contains a copy of the letter patent of 5 Feb., 1357, appointing Foljambe and the others justices of labourers and of weights and measures. See "List of justices," app., B, 3.

m. i. Pretextu cuius breuis preceptum fuit vicecomiti Derb' quod venire faceret coram prefatis iusticiariis tribus vel duobus eorum apud Derb' die Lune proximo ante festum apostolorum Philippi et Iacoby de qualibet wapentachia ballive sue xxiiii^{or} etc., de qualibet villa quatuor homines et prepositum, et preter illos tot et tales etc. ad inquirendum et excercendum ea que ex parte domini Regis eis ibidem iniungentur. Et vicecomes fecit inde execucionem etc.

¹ MS. factis.

Placita coram Godefrido Foliaumbe et sociis suis iusticiariis domini Regis ad omnia ordinationes et statuta de operariis et artificibus et seruientibus ac de mensuris et ponderibus et aliis in comissione domini contentis in comitatu Derb' illata audienda et terminanda assignatis apud Derb' die Lune proximo ante festum apostolorum Philippi et Iacobi, anno regni Regis Edwardi tercii post conquestum xxxi.

Derb'

Presentatum est quod Elias Wareyn, Willelmus Gerard, Radulfus le Clerk, Isolda Louell¹ habent mensuras, videlicet, quilibet eorum unum bussellum standardo domini Regis non concordatum propter minuitatem eorundem etc.

(The sheriff is ordered to produce the above; *i. e.*, "venire faciat.")

Die Martis proximo ante festum Sancti Dunstani anno supradicto etc.

Ad quem diem vicecomes retornat quod attachiati sunt etc. Et modo veniunt per vicecomitem ducti et allocuti sunt sigillatim de eo quod ipsi habent bussellos standardo domini Regis non concordatos propter minuitatem eorum. Qui dicunt quod non possunt dedicere et ponunt se in gratiam domini Regis, et petunt se admitti ad finem cum domino Rege etc. Et admittuntur quilibet eorum ad xii d., prout patet in rotulo finium etc.

m. i d. Die Lune proximo post festum Sancti Barnabe apostoli, anno supradicto etc.

Morleyston.

Presentatum est per xii iuratos eiusdem wapentachie quod Iohannes ‡ de Walley cepit ad quarterium fru-

¹ Forty-five other names.

menti pro trituratione iii d; videlicet ad xx quarteria, et sic cepit in excessu contra statutum ii s.

(Long list of similar offences follows.)

m. 2. Morleyston.

Presentatum est quod Henricus, ‡ filius Henrici de Kydesley, cepit in excessu pro vendicione carbonis xl d.

Item dicunt quod Robertus de Tikhull ‡ de Chelaf-ton cepit in vendicione calceti contra formam etc. i marcam.

Item dicunt quod Thomas le Walker ‡ de Beaureper cepit in excessu pro falcacione contra formam etc. ii s. Item dicunt quod Robertus de Burley cepit in excessu pro fullacione pannorum contra formam statuti ii s.

Item dicunt quod Alicia ‡ que fuit vxor Ricardi le Baxter de Long Eyton cepit in excessu contra formam etc. in furnacione panis etc. dimidiam marcam. Item dicunt quod Iohannes Staff ‡ cepit in excessu contra formam statuti etc. videlicet pro furnacione calceti per vii annos iii s. iii d. Item dicunt quod Iohannes, ‡ filius Petri, cepit in excessu pro fraccione calcati contra formam statuti etc. iii s. iiii d.

Altera Presentacio

Presentatum est quod Willelmus le Mulner, ‡ falcator, cepit in excessu contra formam statuti etc. xii d.

Item dicunt quod Rogerus de Beaumanere, carpenter, cepit in excessu contra formam statuti xl d.

Item dicunt quod Thomas Woluet, ‡ couper, cepit in excessu contra formam statuti xii d.

Item dicunt quod Iohanna Welnet, ‡ seruiens, cepit in excessu contra formam statuti x d.

Item dicunt quod Rogerus Clement, ‡ melemaker, cepit in excessu contra formam statuti iii d.

Item dicunt quod Ricardus de Hethcote, minour, cepit in excessu contra formam statuti vi d. Item dicunt quod Sampson le Minour, ‡ cepit in excessu contra formam statuti pro consimili vi d.

- m. 2 d. Placita coram prefatis iusticiariis etc. apud Bauquell¹ die Lune proximo ante festum Sancti Petri ad Vincula anno supradicto.

Scaresdale.

Item Ricardus Baxter, ‡ Alicia, vxor eius, ‡ Robertus, filius Roberti de Whatton, ‡ Margeria, vxor Thome de Ainslay, Thomas Cissor, ‡ Cecilia Rauen, ‡ recesserunt a seruicio in autumpno etc.

Item Rogerus Kugell, ‡ saghier, et Iohannes Ganne, ‡ schawer, noluerunt laborare per diem et capiunt per diem alter eorum v d. et prandium.

- m. 3. Placita coram prefatis iusticiariis etc. apud Derb' die Mercurii proximo post festum Sancti Andree apostoli anno supradicto xxxi^o.

(Long list of presentments for receipt of excess wages and prices.)

Repyngdon.

Item Elena, ‡ vxor Thome Haicokene, non vult seruire vicinos set aliis pro maiori salario etc.

- m. 5. Placita coram prefatis iusticiariis etc. apud Derb' die Mercurii proximo post festum Sancti Marci ewangeliste anno xxxii^{do}.

¹ Now Bakewell.

Item Iohannes Faucon,‡ Radulfus Whyte,‡ Willelmus Husse,‡ conducunt messoros et dant eis salarium excessivum.

Item Rogerus de Melbourne,‡ faber, renuit servire vicinos et servit extraneos causa excessivi etc.

Placita coram prefatis iusticiariis etc. apud Derb' die Iovis proximo post festum Sancti Barnabe apostoli, anno supradicto etc.

Item Iohannes,‡ filius Thome, Simon,‡ filius Thome, Willelmus Baron,‡¹ conduxerunt serviens et messoros in autumpno et optulerunt eis salarium excessivum ad dampnum vicinorum.

DATES AND PLACES OF SESSIONS.

31st year.

m. 1.	Derby.	Monday before St. Philip and St. James (1 May).
m. 1 d.	"	Tuesday before St. Dunstan, archbishop (19 May).
m. 2.	"	Monday after St. Barnabas (11 June).
	"	Tuesday after St. Peter and St. Paul (29 June).
m. 2 d.	"	Thursday before Translation of St. Thomas Martyr (7 July).
	Bauquell.	Monday before St. Peter ad Vincula (1 Aug).
	Chesterfield.	Saturday before Nativity B. V. M. (8 Sept.).
	"	Thursday after St. Barnabas (11 June).
m. 3.	Derby.	Wednesday after St. Andrew Apostle (30 Nov.).

¹ Nine others, all of whom paid fines.

32nd year.

m. 3 d. ¹	Derby.	Monday after Purification (2 Feb.).
m. 5.	"	Wednesday after St. Mark (25 April).
	"	Thursday after St. Barnabas (11 June).

‡ VI. Assize Roll, Devon, 195. 25-27 Edw. III. 8 membranes.
Inquisitiones et Indictamenta coram H. de Courteneye
et sociis suis.

m. 1. Devon'

Dominus Rex mandauit literas suas patentes Hugoni de Courteneye, comiti Deuon', Willelmo de Shareshulle, Iohanni de Stouford, Willelmo Daumarle, Ricardo de Birton, Iohanni Dabernoun, Ricardo de Brankescombe et Rogero Piperel ad inquirendum de feloniis etc. et ad audiendum et terminandum in comitatu predicto secundum tenorem literarum dicti domini Regis patencium in presenti rotulo irrotulatarum in hiis verbis
(then follows a copy of the letter patent of 15 March, 1351, appointing the above to the joint commission of the peace and for labourers; see "List of justices," app., B, 3).

Virtute cuius mandati iidem Hugo et socii sui iusticiarii predicti inquisierunt et inquisiciones et indictamenta ceperunt prout patet in rotulis huic annexis.

m. 2. Deuon' Item sequitur de inquisicionibus et indictamentis captis coram Hugone de Courteneye, comite Deuon' et sociis suis iusticiariis domini Regis etc. apud Barnestable, die Mercurii in festo Sancte Marie Magdalene anno regni vicesimo quinto . . .

(Presentments by jurors.

Most of the offences recorded on this roll are felonies.)

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¹ M. 4 is much narrower and shorter, sewn into the bottom of m. 3, and seems to be part of another roll.

Transgressio Philippus Chopyn,
Thomas Bryan, Ricardus Doderugge,
Willelmus Rugge. ponit se
Robertus Vaggescombe . Quietus.

Item dicunt quod Philippus Chopyn, Thomas Bryan, Ricardus Doderugge, Willelmus Rugge et Robertus Vaggescombe vi et armis et contra pacem domini Regis venerunt die Sabbati xviii^o die mensis Maii anno Regis nunc xxv^{to} apud Chepyngtortyton et ibidem quemdam domum communitalis ville predictae intrauerunt, ostium dicte domi fregerunt et cippum ibidem factum per preceptum iusticiariorum secundum statutum domini Regis pro seruientibus editum apud Westmonasterium ceperunt et asportarunt in execucionis statuti predicti retardacionem et domini Regis contemptum.

m. 4.

Deuon'

Inquisiciones et indictamenta capta coram Hugone de Courteneye comite Deuon' et sociis suis . . . apud Exon' die Mercurii post festum conuersionis Sancti Pauli, anno regni . . . vicesimo sexto

Almaricus

Ponit se.
fitz Waryn.

Item presentant quod Almaricus fitz Waryn, nuper vicecomes Deuon', die Lune proximo post festum Inuencionis Sancte Crucis anno xxiii^o colore ordinacionis et statuti domini Regis de seruientibus, operariis et artificibus editorum cepit diuersos fines et redempciones ad opus suum proprium, videlicet de Iohanne Greya xl d., Ricardo Stone ii s., Willelmo Plokenet, fabro, v s., et de aliis operariis et artificibus c s.

m. 5.

Deuon'

Item sequitur de inquisitionibus et indictamentis capitis coram Hugone de Courteneye, comite Deuon' et sociis suis apud Exon' die Lune proxima post festum Sancti Swithini anno regni vicesimo sexto.
(Presentments by jurors.)

Transgressio. Walterus Venour, Thomas de Fisacre, Iohannes Sely, Symon Boghereuwe, Ricardus Wynkeleghe, Galfridus Coche, Isabella Bolde.

Item dicunt quod quedam nauis de Ispania carcata sale applicuit in portu de Plymymouthie die Sabbati proximo ante festum Sancti Iacobi apostoli anno regni Regis Edwardi tercii xxvi^{to}; et predictum sal per magistrum et mercatores eiusdem nauis vendicione fuit positum et Walterus Venour, Thomas de Fishacre, Iohannes Sely et Simon Bogherewe per minas et terrores eisdem magistro et mercatoribus per eos illatas predictam nauem sic carcata fecerunt duci ad partes exteras ad graue dampnum domini Regis et populi sui c li. Et quod predicti Walterus, Thomas, Iohannes et Simon consueti sunt impedire aduentum nauium carcatarum sale et aliarum mercandisarum volencium applicare in portubus in comitatu Deuonie et sunt communes forstallatores salis, piscium, ferri et aliarum mercandisarum. Et quod predicti Walterus et alii simul cum Ricardus de Wynkeleghe, Galfrido Coche et Isabella Bolda de villa de Plymymouthie emunt sal per vnam mensuram et vendunt per aliam ad valenciam ccc li. in oppressionem populi. Item, vendunt sal per minorem mensuram quam emunt blada. Item, omnes predicti de villa de Plymymouthie vendunt vina sua in ea carius quam debent capiendo rationabile lucrum, videlicet, quamlibet lagenam ad ii d.

Transgressio. Ricardus Knyght de Toryton, Iohannes Galwa, Willelmus Walle, Iohannes Pariller de Chepyngtorton.

Item dicunt quod Ricardus Knyghton de Toryton, Iohannes Calwa, Willelmus Walle, Iohannes Paryler de Chipyngtorton (vacat quia insufficiens), venditores vinorum, mede, et aliorum victualium vendunt carnes plus quam debent capiendo lucrum rationabile contra statutum domini Regis de huiusmodi venditoribus editum etc.

m. 8. Deuon'

Inquisiciones et indictamenta capta coram Hugone de Courteneye et sociis suis apud Hatherlegh die

Lune in crastino Sanctorum Ciricii et Iulitte anno regni
 vicesimo septimo . . .

Finis Robertus de
 Northleghe.

Item presentant quod vbi Robertus de Holeweye virtute commissionis domini Regis ac precepti iusticiariorum cepit Margeriam Bagge, seruientem et operatricem et eam iuxta formam mandati sui in cippis ponere voluit apud Hatherlegh die Lune proximo post festum Sancti Petroci anno regni Regis Edwardi xxviii^{to}, venit Robertus de Northleghe et cepit predictam Margeriam de predicto Roberto Holeweye vi et armis et contra pacem domini Regis, impediendo mandatum domini Regis.

DATES AND PLACES OF SESSIONS.

In addition to the three sessions printed, the roll includes the following: 25th year, Exeter, Monday after St. Peter ad Vincula (1 Aug.); m. 3. 26th year, Honiton, Wednesday after St. Hilary (13 Jan.); m. 6. 27th year, Barnstable, Monday after St. Petrocus (4 June); m. 7.

‡ VII. Assize Roll, Essex, 268. 25 Edw. III. 27 membranes.

Praesentationes Juratorum.

It is difficult to determine the character of this roll. It is full of presentments for offences against the statutes of labourers, and while many of them are *coram Rege* presentments,¹ the note on m. 10 as to Hubert and House seems to prove that at least some of the membranes include proceedings before the justices of the peace and of labourers. On 6 May, 1352, they were associated to the joint commission, from which Hubert was removed on 10 Jan., 1353; see "List of justices," app., B, 3.

¹ For evidence that both this roll and Assize Roll, Essex, 267, contain indictments *coram Rege*, cf. app., F, 1.

- m. 1. Hundredum de Chelmsford.
 (Presentments by jurors.)
 xii^{clm} presentant quod Arnulphus le Hierde de Maldon, nuper seruiens Iohannis Dqdebroke, a festo sancti Michaelis anno regni Regis nunc xxiiii^o vsque festum Sancti Michaelis proxime sequens xxv per i annum et per i quarterium vnus anni proxime sequens et per totum illud tempus dictus Arnulphus cepit vnum quarterium frumenti ad xii septimanas et v solidos per annum pro stipendio suo. Item cepit a festo Sancti Petri Aduincula vsque ad festum Natalis Domini eodem tempore x s. vltra ea que superius cepit. Et super hoc dictus Arnulphus ab officio suo ante finem termini recessit ad dampnum dicti Iohannis xl s. contra statutum etc.
- Trans-
gressio. Item presentant quod Robertus Grys de Daneweby, pottere, facit ollas ereas et vendit ad triplex contra statutum etc. quam solebat in oppressionem populi.
 Item dicunt quod Iohannes Sextayn, iunior, sissor, Iohannes Banestrat, cissor, Rogerus atte Tye de Magna Badewe, capiunt salaria pro laboribus suis de diuersis gentibus contra statutum etc. et hac tripliciter quam capere consuebant.
- Trans-
gressio. Item dicunt quod Willelmus Denk, seruiens Galfridi Fabri, le smyth, cepit de dicto Galfrido xx s. per annum et est ad mensam et iuratus fuit coram Iohanne de Sutton et sociis suis seruire secundum statutum etc. vbi non caperet nisi viii s. etc.
- m. 7. Magna Inquisicio.
 Item ils presentent qe par la ou ordeine est par monsire Iohan de Sotton e ces compaignouns iustysis nostre seignur le Roy qe nul draggere ne deuoit prendre petit ostres apelles brodis en destruccion dil ewe

Trans- la ou, Iohan Blood, Iohan Cherchewan puisne¹ prys
gressio. teles petyte ostres en destruccioun del ewe nient
coun tre esteaunt le ordinaunce auantdit e refusunt
seruyr come ils soleuint faire cause de lour graunt
gayn

Trans- Item ils presentent qe Thomas Morman de Tillyng-
gressio. ham est vn fauchour des prees e vn commun laborere
e ad prys de diuerce geanz outragousement pur son
louer puis cele temps qe il fust iure deuaunt monsire
Iohan de Stotton e ces compaignouns, ceste a sauoir
de Iohan Gold de Tillyngham e de Thomas Schort, e
des autres pur le acre de pree a faucher ix d. bien a
la mountance de xx s. ou plus outre ceo qe il deuoit
auoir pris par lestatut.

Item ils presentent qe Robert Totereg de Burnham,
laborer, Iohan Totereg, couerour des mesouns, Iohan
Boregh, laborer, Thomas Sare, laborer, refusunt
douerer ascun manere douereine saunz ceo qe ils
porrout prendre a double outre ceo qe est ordeine
par lestatut en enpouericement du puple.

m. 8. Magna Inquisicio.

Item ils presentent qe Iohan Galion, vicare de Nasyng,
ne veut feare a nuly le sacrement des epposaylis si il
ne eyt de chescun baroun v s. ou vi s., e en ceste
manere par extorcioun ad le dit Iohan pris de Iohan
Wakerild iiii s. x d., de William Gurteber v s., de
Iohan Mabely ix s., e de plusours autres a la mount-
aunce de xx s. en oppressioun du puple attort et en-
cuntre la pes.

Item presentant quod Johannes Hinderclre cepit de sti-

¹ Five others.

pendio de Rectore de Perudon pro tempore Augusti
hoc anno contra statutum x s.

m. 9. Magna Inquisicio.

Trans- Item ils presentent qe Peris Poynaunt de Epyning est
gressio. un tenour de carwis¹ e prent ble e salarie encontre
lestatut.

Trans- Item ils presentent qe Iohan Skennere de Morton est
gressio. pelletere et vend pelure et gauns trocher encontre
lestatut.

m. 10. Magna Inquisicio.
(Many trespasses "contra pacem," thefts etc.)

Trans- Item dicunt quod Iohannes Hankyn est communis
gressio. laborator et fuit in seruicio prioris de Hatfeld Regis
a festo Sancti Michaelis Archangeli anno Regis nunc
xxiiii^{to} vsque festum Pasche tunc proxime sequens
per dimidium annum ad mensam dicti prioris. Et
cepit de eodem priore pro stipendio dimidii anni xviii
s. contra statutum domini Regis de laboratoribus et
artificibus ordinatum.

Trans- Item dicunt quod Iohannes Hardrybb Pypere de
gressio. Parua Waltham est communis laborator et capit ex-
cessiue contra statutum domini Regis de laboratoribus
et artificibus ordinatum, videlicet, capit per diem iiii d.
Et eciam idem Iohannes de seruicio Iohannis Clyue
ante terminum suum contra statutum domini Regis
recedit. Et eciam idem Iohannes statutum domini
Regis de laboratoribus et artificibus ordinatum con-
tradicit in contemptum Regis et in fauorem² aliorum
laboratorum.

Prima cedula liberatur per Thomam Hubert et I.
House.

¹ Probably a ploughman; cf. "tentor caruce," pt. ii, ch. ii, s. 4.

² MS. fauore.

VIII. Assize Roll, Hereford, 312. 29-31 Edw. III. 8 membranes.

Placita (de Operariis, etc.) coram Willelmo de Frome et aliis.

Writ attached to the roll:

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie dilectis et fidelibus suis Willelmo Frome et sociis suis ad statuta de artificibus, laboratoribus et seruientibus ac de ponderibus et mensuris abusus edita conseruanda in comitatu Hereford' assignatis, salutem. Cum certis de causis per breue nostrum vobis mandauerimus quod execucioni commissionis nostre vobis de premissis facte vlterius faciende supersederetis, vobis mandamus firmiter iniungentes quod omnia recorda, rotulos, memoranda et processus sessiones vestras de premissis tangencia nobis in cancellariam nostram citra quindenam Sancti Hillarii proxime futuram vel in eadem quindenam ad vltimum, mittatis et hoc breue. Et hoc sub pena centum librarum nullatenus omittatis.

Teste Thoma filio nostro carissimo custode Anglie apud Westmonasterium, quinto die Nouembris, anno regni nostri Anglie tricesimo tercio, regni vero nostri Francie vicesimo.

The first membrane contains a copy of a letter patent, dated 2 Sept., 29 Edw. III, appointing Frome, Oldecastel and Monyton justices of labourers and of weights and measures; the Patent Rolls for this year show duplicate commissions, dated 2 Oct. and 20 Dec. respectively; see "List of justices," app., B, 3.

m. 1. Pretextu cuius commissionis preceptum est vicecomiti quod venire faciat coram nobis apud Hereford' die Lune proxima post festum Natiuitatis beate Marie proxime futurum viginti et quatuor probos et legales homines de quibuslibet ciuitate et hundredo tocius comitatus, constabulos et subconstabulos pacis ad audiendum et faciendum quod ex parte domini Regis eis esset iniungendum.

Placita coram Willelmo de Frome, Iohanne de Oldecastel et Hugone de Monynton iusticiariis domini Regis ad ordinacionem et statutum de operariis et artificibus in comitatu Hereford' conseruanda assignatis apud Hereford' die Lune proximo post festum Natiuitatis beate Marie anno regni Regis Edwardi tercii a conquestu vicesimo nono.

Preceptum fuit vicecomiti quod venire faceret coram nobis hic ad hunc diem viginti probos et legales homines de quibuslibet ciuitate et hundredo tocius comitatus, constabularios et subconstabularios pacis ad audiendum et faciendum quod ex parte domini Regis eis esset iniungendum.

Et modo vicecomes respondet quod mandatum istud in omnibus est executum.

Hereford'.

Iuratores presentant quod Iohannes Monyword de Hereford, textor, cepit de Iohanne Spicer de eadem excessum pro artificio suo anno xxviii^o, videlicet pro vlua ii d. obolum, et quod est communis captor excessus. . . .

Nicholaus le Webbe, textor, Robertus Plassh, textor,¹ ceperunt plus pro artificio suo contra ordinacionem etc., quam capere solebant annis regni Regis Edwardi tercii xx et xxi, et sunt communes et notorii captores excessus.

(One hundred and two ² other individuals are presented for similar offences, representing the following occupations: carpentarius, daubere, filatrix, communis operarius, kembestere, communis operatrix, netrix, operarius diurnus, aquebanilatrix, cardestere, seruiens triennalis, textor, hokkestere, cissor, fourbour, falcator, textrix, triturator, skynnere, shapestere, mestrix, menbrinator, cirotecarius, fullo, tegulator.)

Ideo preceptum est vicecomiti quod venire faciat omnes pre-nominatos artifices, operarios et seruitores coram nobis hic die Martis sequente ad respondendum domino Regi de excessibus et transgressionibus predictis. Et omnes predicti textores, ful-

¹ Eight other "textores."

² One hundred and twelve in all therefore.

lones et carpentarii gratis veniunt et allocuti qualiter se velint acquietare de excessibus et transgressionibus de quibus indictati sunt vt patet supra, excessus non dedicunt, se[d] petunt se admitti in graciam domini Regis. Et admissi sunt ad finem faciendum etc. Plegii de finibus. . . .

(Five pledges are named; then follow the sums of the fines of 43 delinquents, beginning with Iohannes Monyword, 10 s.; half mark, 5 s., 2 s., 5 s., 40 d., 12 d., 15 d., 3 s., 3 s., 2 s., 2 s., half mark, 3 s., 40 d., 40 d., 3 s., 3 s., 2 s., 6 d., 6 d., 6 d., 40 d., 18 d., 2 s., 2 s., 12 d., 2 s., 12 d., 2 s., 12 d., 4 s., 40 d., half mark, 4 s., 8 s., 12 d., 4 s., 8 s., half mark, 8 s., 12 d., 3 s.)

m. 1 d. Placita coram prefatis iusticiariis apud Hereford', die Martis proxima post festum Natiuitatis beate Marie, anno supradicto.

(The sheriff is ordered to produce the rest of those indicted.) Et modo vicecomes respondet per returnum Walteri de Ayleston, balliui libertatis ville Herefordie, quod omnes predicti plastarii, tegulatores, Rogerus de Stafford¹ et cirotecarii attachiati sunt etc. Et de omnibus aliis operariis, seruitoribus et artificibus respondet quod nichil habent per quod possunt attachiari. Ideo preceptum est vicecomiti quod capiat predictos operarios, seruitures et artifices et eos saluo custodiri [faciat] ita quod habeat corpora eorum hic coram nobis die Mercurii proxime sequente ad respondendum domino Regi de transgressionibus et excessibus predictis. Et Rogerus de Stafford et omnes alii plastarii, tegulatores et cirotecarii veniunt et allocuti qualiter se acquietabunt de excessibus et transgressionibus de quibus indictati sunt respondent et dicunt quod non sunt culpabiles et super hoc ponunt se super patriam. Postmodum predictus Rogerus et omnes alii per iusticiarios examinati separatim de excessibus predictis eisdem excessus non dedicunt. Et quia compertum est pre-

¹ "Menbranator"; the only one.

dictum Rogerum et omnes alios transgressiones suas recognovisse, ideo adiudicantur prisone quousque finem fecerint de predictis excessibus. Et predicti Rogerus et alii finem fecerunt pro excessibus suis per plegium Henrici Baggere, Willelmi Carles et cuiuslibet alterius, videlicet, Rogerus de Stafford, ii s. (Twenty-four names follow of delinquents fined various sums: 6 d., 12 d., 2 s., 6 d., 6 d., half mark,¹ 40 d., 2 s., 2 s., 12 d., 12 d., 12 d., 12 d., 12 d., 12 d., 6 d., 12 d., 2 s., 2 s., 2 s., 2 s., 4 s., 4 s., 12 d.)

Placita coram prefato Willelmo et sociis suis iusticiariis etc. apud Hereford', die Mercurii proximo post festum beate Marie anno supradicto.

(Sheriff ordered to produce those who could not be attached.) Et modo vicecomes respondet per Walterum de Ayleston ballium libertatis ville Hereford' quod Cristina atte Walle (etc.) . . .² capti sunt etc. Et de omnibus aliis operariis, servientibus et artificibus respondet quod non inveniuntur etc. Ideo preceptum est vicecomiti quod exigi faciat omnes prenominate operarios et servientes de comitatu in comitatum quousque etc. si non comparuerint, et si comparuerint tunc eos capiat et saluo etc. quod habeat corpora eorum hic coram nobis, die Lune proximo post festum Purificationis beate Marie Virginis ad respondendum domino Regi de transgressionibus et excessibus contra statutum domini Regis etc.

m. 2. (Christina atte Walle (6 d.), Philippus Ewyas (12 d.) etc.,³ who had been "capti," had pleaded not guilty and asked for a trial by jury.)

Ideo preceptum est vicecomiti quod venire faciat coram nobis hic ad diem Veneris proximum post festum

¹ A tiler.

² Fifteen others; see *supra*, p. 175*.

³ The fourteen others just referred to; all have fines entered over their names.

Sancte Lucie Virginis xii liberos et legales homines de visneto de Hereford' et qui predictos Cristinam, Philippum et alios nulla affinitate attingant ad faciendum recognicionem illam. Et interim predicti Cristina, Philippus et alii liberantur per iusticiarios per manucapcionem Iohannis de Maurdyn, Iohannis Whitfeld et Edwardi le Webbe. Ad quem diem Veneris predicti Cristina, Philippus et alii veniunt. Et iurati de consensu parcium electi et triati veniunt et dicunt quod omnes predicti sunt culpabiles de excessibus predictis. Ideo consideratum est quod predicti indictati committantur prisone quousque finem fecerint etc. Et ulterius iidem iurati onerantur ad plenius inquirendum de operariis, seruitoribus et artificibus etc. iuxta formam ordinationis et statuti domini Regis inde factorum, et ad reddendum veredictum suum inde hic coram nobis die Sabbati proxime sequente sub periculo quod etc. Et Cristina atte Walle et omnes alii finem faciunt cum domino Rege pro excessibus predictis.

Plegii de fine continentur in extractis et fines eorum intitulantur supra etc.

Placita coram prefatis iusticiariis apud Hereford' die Sabbati proximo post festum Sancte Lucie Virginis anno supradicto.

(Meanwhile there had been more presentments of "seruientes et operarii" for receipt of excess wages.)

Ideo preceptum est vicecomiti quod venire faciat omnes prenomatos seruientes et operarios hic coram nobis die Veneris proximo post festum Sancti Hillarii ad respondendum domino Regi de exitibus predictis. Ad quem diem Veneris vicecomes respondet per Walterum de Aileston ballium libertatis ville Hereford' quod Henricus le Hope ¹ (etc.) nichil habent per quod

¹ Twenty-five others.

possint attachiari. Ideo preceptum est vicecomiti quod capiat predictos Henricum, Isabellam et omnes alios si etc., et eos saluo etc. ita quod habeat corpora eorum hic coram nobis die Sabbati proxime sequente ad respondendum domino Regi de placito predicto. Et de aliis respondet quod attachiati sunt etc. Et veniunt.' Et allocuti qualiter se acquietabunt de excessibus etc. dicunt quod non sunt inde culpabiles. Et ponunt se super patriam. Ideo preceptum est vicecomiti quod venire faciat hic coram nobis ad diem Sabbati in crastino xii liberos et legales homines de ciuitate Hereford' qui nec predictos etc. ad faciendum recognicionem illam. Et idem dies datus est partibus predictis. Ad quem diem Sabbati predicti seruientes et operarii veniunt et iurati remanent in defectu Ricardi de Aileston (vi d.), Iohannis le Tannere (vi d.), Thome Loue (vi d.), Iohannis de Brugge (vi d.), Thome Salesbury (vi d.) et Henrici Clere (vi d.). Ideo ipsi et manucaptores eorum¹ in misericordia. Et preceptum est vicecomiti quod distringat predictos Ricardum, Iohannem etc. iuratos per omnes terras etc. Ita quod etc. et quod de exitibus etc. Et quod habeat corpora eorum hic coram nobis die Lune proxima post festum Sancti Mathie Apostoli ad faciendum recognicionem illam. Et vicecomes apponit sex tales ne etc. Et idem dies datus est ceteris iuratis et partibus predictis. Et modo vicecomes respondet per predictum ballium quod omnes predicti non sunt inuenti etc. Ideo preceptum est vicecomiti quod exigi faciat omnes predictos seruientes [et] operarios de comitatu in comitatum quousque secundum legem et consuetudinem regni Anglie vtlagentur et wayventur si non etc. Et si comparuerint etc. tunc eos capiat et saluo etc. ita quod habeat corpora eorum hic coram nobis die Veneris proximo post festum Sancte Trinitatis ad respondendum domino Regi de excessibus predictis.

¹ MS. eius.

Iohanna Fetitz, Matillis, vxor Bartholomei Pipe, et plures alii qui indictati sunt supra de excessibus et ea occasione in exigendo positi vt patet supra in processu facto die Mercurii post festum Nativitatis beate Marie anno xxix,¹ reddiderunt se interim et fecerunt finem cum domino Rege pro excessibus predictis vt patet in rotulo de finibus et amerciamentis.

m. 2 d. Placita coram prefatis Willelmo, Iohanne et Hugone iusticiariis etc. apud Hereford' die Lune proximo post festum Sancti Mathie apostoli anno . . . xxx^{mo}.

(Sheriff who had been ordered to distrain the delinquent jurors replied) : quod mandauit balliuis libertatis ville Hereford' qui habent returnum omnium breuium qui nichil inde fecerunt. Ideo preceptum est vicecomiti quod non omittat propter libertatem predictam quin ingrediatur et distringat predictos iuratores per omnes terras et catalla sua etc., et quod habeat corpora eorum hic coram nobis die Martis proxime sequente ad faciendum iuratum illam, et vicecomes apponit sex tales etc. ne etc. Et predictus Philippus Heen² et omnes alii veniunt. Et idem dies Martis datus est eis ad audiendum veredictum suum. Et interim Willelmus le Hostilere et Alicia vxor eius³ . . . qui se posuerunt in inquisicionem illam veniunt et ponunt se in gratiam domini Regis etc. Plegii de finibus. . . .⁴

Adhuc placita coram prefatis iusticiariis apud Hereford' die Martis proximo post festum Sancti Mathie apostoli, anno supradicto.

Philippus Heen et Matillis vxor eius⁵ qui se posuerunt in inquisicionem modo veniunt et iuratores electi et triati veniunt et dicunt quod omnes predicti sunt culpabiles de excessibus predictis. Et omnes pre-

¹ *Supra*, p. 176*.

² See *supra*, p. 178*.

³ Eleven others; see *ibid*.

⁴ Seven pledges named.

⁵ Twenty-six others; see *supra*, p. 178*.

dicti veniunt et petunt se admitti ad finem faciendum pro excessibus illis. Et admissi sunt per plegium . . .¹ vt plenius patet in extractis.

Henricus le Hopere . . .² in exigendo positi, vt patet supra, modo veniunt et reddunt se iusticie. Et petunt se admitti in gratiam domini Regis pro excessibus predictis. Et admissi sunt in gratiam per plegium . . .³ et aliorum quorum nomina plenius continentur in extractis.

Adhuc placita coram prefatis iusticiariis apud Hereford', die Veneris in septimana Trinitatis, anno supra dicto.

Preceptum fuit vicecomiti quod exigere faceret Henricum le Hopere . . .⁴ de comitatu in comitatum etc. quousque si non etc. Et si comparuerint etc. tunc eos caperet. . . . Et modo vicecomes respondet quod omnes predictos exigi fecit de comitatu in comitatum etc., videlicet ad comitatum tentum in castro Herefordie die Sabbati proximo post festum Sancti Vincencii anno xxix primo exacti fuerunt et non comparuerunt; ad comitatum tentum in eodem castro Herefordie die Sabbati proximo post festum Sancti Valentini anno . . . xxx, secundo exacti fuerunt. Et Henricus le Hopere . . .⁵ comparuerunt et tulerunt sibi mandatum predictorum iusticiariorum de supersedendo. Et ideo nichil vltius de eis actum fuit. Processus quorum patet supra. Et respondet quod omnes alii non comparuerunt ad comitatum tentum in eodem castro die Sabbati proxima post festum Sancti Gregorii Pape anno xxx; [ideo] tercio exacti fuerunt, et non comparuerunt ad comitatum tentum in eodem castro die Sabbati in septimana Passionis Domini anno supra dicto; [ideo] quarto exacti fuerunt. Et Iohannes de

¹ Seven pledges. ² Fourteen others; see *supra*, pp. 177*-178*.

³ Nine pledges. ⁴ Twenty-five others; see *supra*, pp. 177*-178*.

⁵ Fourteen others; see note 2.

Webbeleye . . .¹ comparuerunt et reddiderunt se prisione domini Regis etc. Et Ricardus de Oxneford, Thomas de Brechonia et Daudid de Wyggenore non comparuerunt, ideo in pleno comitatu presentibus coronatoribus vtlagati fuerunt. Et omnes predicti Iohannes de Webbeleye et alii veniunt et allocuti qualiter se velint acquietare . . . ponunt se in gratiam domini Regis etc. Plegii de finibus. . . .²

m. 3 d. Placita apud Bodenham coram prefatis iusticiariis die Sabbathi proxima post festum Sancti Bartholomei apostoli anno xxx^{mo}.

Preceptum fuit vicecomiti quod venire faceret coram nobis hic ad hunc diem xx probos et legales homines de villatis de Bodenham, Maurdyn, et Sutton ad audiendum et faciendum quod ex parte domini Regis eis esset iniungendum. Et modo vicecomes mandat quod mandatum istud in omnibus est executum.

Iurati presentant quod Margeria le Webbe (xii d.), Isabella Don (vi d.), Walterus le Walsh (xii d.), Isabella, vxor eius (vi d.), Agnes Bogge (vi d.) et Alicia le Honte (vi d.), textrices et shappesters de Bodenham, Iohannes Wys (ii s.), Gilbertus, frater eius (xviii d.), Willelmus le Holdare (xii d.), Stephanus le Swon (xii d.), cissores; Iohannes le Coke (xii d.), Willelmus le Walkare (ii s.), fullonarius; Iohannes le Soutore (xii d.), Iohannes Don, senior (xii d.), Iohannes Mody (xii d.), sutores; Iohannes Stelle (ii s.), Willelmus Baderon (ii s.), Walterus Fillott (xii d.), triturarii; Iohannes Senegere (iii s.), Phillippus Potel (xii d.), Walterus le Soutere (xii d.), Iohannes Illing (xii d.), Iohannes le Shepherd (xii d.), falcator; Iohannes Ferthing (xii d.), Iohannes Boidekyn (xii d.), Iohannes le Smyth (viii d.), fabri; Rogerus le Whyte (xii d.), Iohannes Kempe (xii d.), Willelmus le Smyth

¹ Seven others; see *supra*, pp. 177*-178*.

² Five pledges.

(xii d.), Iohannes Keysham (vi d.), Iohannes Colebrugge (ii s.), Iohannes le Beest (ii s.), Walterus le Taillour (ii s.), Walterus Blanchard, Iohannes Blisse, Hugo Symondes (xii d.), Willelmus le Longe (xii d.), messorum, seruientes et operarii de eadem villata.

Item presentant quod Iohanna Sterre (xii d.), Mirus Prat (xii d.), Iohanna Goche (xii d.), Alicia in le More (x d.), Alicia, vxor Iohannis le Holdere (vi d.), textrices et filatrices de villata de Maudyn, Stephanus le Webbe (vi d.), Walterus le Smyth (xviii d.), Ricardus Hoseye (vi d.), Daudid, seruientem Willelmi le Walkare (xii d.), fullonarii; Walterus in le Lone (vi d.), Willelmus Love (xii d.), Ricardus Dygon, Rogerus Meysey (xii d.), Walterus le Longe (xii d.), cissores; Rogerus le Webbe (xii d.), Iohannes le Walshknaue (xl d.), Thomas Pouke (xl d.), carnifices; Iohanna in le More (xii d.), et Alicia Loue (xii d.), seruientes, plus ceperunt pro artificiis et seruiciis suis etc.

Item presentant quod Rogerus le Webbe, Ricardus Chede, textores; Walterus de Nasshe, Walterus, seruientem Roberti Knyth, Iohannes le Walsch et Willelmus Walford, seruientes et operarii de villata de Sutton, Agnes Thorald, Alicia de Stone, Isabella, vxor Roberti le Dryuere, et Margeria Gladewyn, messorum de eadem villata, plus ceperunt pro seruiciis et artificiis contra ordinationem etc. quam solebant annis ante pestilenciam etc. ideo etc. Et omnes predicti seruientes et artifices de villatis de Bodenham et Maudyn gratis veniunt et ponunt se in gratiam domini Regis, preter Iohannem le Blys, Walterum Blanchard et Ricardum Dygun. Et ipsi non veniunt. Ideo preceptum est vicecomiti quod venire faciat predictos Iohannem (vi s.), Walterum (ii s.) et Ricardum Dygun ac etiam Rogerum le Webbe (xii d.) Ricardum Chede (xii d.), Walterum de Nasshe (xii d.), Walterum, seruientem Roberti Knyth (xii d.), Iohannem le Walsch (xii d.), Willelmum Walford

(xii d.), Agnetem Thorald (xii d.), Aliciam de Stone (xii d.), Isabellam, vxorem Roberti le Dryuer (xii d.), et Margeriam Gladewyn, seruientes etc. coram nobis apud Sutton die Lune proximo post festum Sancti Egidii ad respondendum domino Regi de excessibus predictis.

Et omnes predicti seruientes et operarii de villatis de Bodenham et Maudyn qui se posuerunt in gratiam domini Regis veniunt et faciunt finem, plegii de fine Hugo Hayward . . . et plures alii sunt quorum nomina patent in extractis.

Ad quem diem Lune proximum post festum Sancti Egidii, Iohannes Blys (vi d.), Walterus Blanchard (ii s.), Ricardus Dygun et omnes alii seruientes et operarii de villata de Sutton attachiati sunt preter Margeriam Gladewyn et de ipsa vicecomes respondet quod nichil habet per quod potest attachiari: ideo preceptum est vicecomiti quod capiat prefatam Margeriam si etc. et ipsam saluo etc. Ita quod habeat corpus eius coram nobis hic ad diem Martis sequentem ad respondendum domino Regi de excessibus predictis. Et omnes alii veniunt et ponunt se in gratiam domini Regis, preter Ricardum Dygun et Walterum de Nasshe qui veniunt et allocuti qualiter se acquietabunt de transgressionibus et excessibus vnde indictati sunt, dicunt quod in nullo sunt culpabiles et de hoc ponunt se super patriam. Ideo preceptum est vicecomiti quod venire faciat hic coram nobis ad diem Martis proxime sequentem xii liberos et legales homines de visneto de Maudyn et Sutton qui nec etc. ad faciendum iuratam illam. Et predicti Iohannes Blys et alii qui se posuerunt veniunt et faciunt finem per plegium Iohannis Lene. . . .¹

Ad quem diem Martis, predicti Margeria Gladewyn (xii d.), Ricardus Dygun (xii d.), et Walterus de Nasshe (xii d.) veniunt et petunt se admitti ad finem

¹ Five others named.

faciendum cum domino Rege. Et admissi sunt, plegii de fine Philippus le Bailiff, Ricardus Tudeneye et Walterus, filius Willelmi de Stoke.

- m. 4 d. Placita coram prefatis iusticiariis apud Hereford', die Sabbati in septimana Pasche, anno xxx^{mo}.

(The sheriff had been ordered to exact John de la Chirch, Isabel Wynne, Robert le Tyeler, Peter le Smyth and Philip le Walsh in the county court. They appeared at the county court held at Hereford Castle on Saturday before Christmas, 29th year (first time exacted) and surrendered themselves to prison. They plead not guilty and ask for a jury:)

Set postea iidem seruientes et operarii per sacramenta sua astricti excessus suos sponte recognoscunt.

- m. 5 d. Adhuc placita coram prefatis iusticiariis apud Almalie¹ die Mercurii proximo post festum Sancti Marci evangile anno xxx^{mo}.

(A long list of delinquents indicted for excess wages had asked for a jury:)

Et postea iidem seruientes et operarii per examinationem iusticiariorum per eorum recognitionem de excessibus predictis sunt conuicti et prisone domini Regis mancipati; postmodum faciunt finem pro excessibus predictis per plegium etc.

- (m. 6 and m. 6 d contain presentments and processes similar to those already given.)

- m. 7. Et quia compertum est² Iohannem le Taylor, Henricum le Taylor, et Iohannem Hichemones iuxta eorum recognitionem propriam alias fuisse convictos de huiusmodi excessibus coram R. Talbot et socii suis etc.,

¹ Now Almeley; on this occasion eighteen jurors had been summoned.

² MS. has "quod" after "est."

ideo consideratum est quod habeant prisonam quadraginta dierum et committantur vicecomiti custodiendi.

m. 8. Placita apud Hereford' die Sabbati proximo post festum Annunciacionis beate Marie, anno xxx.

Ricardus le Murie (vi d.) querens optulit se in placito conuencionis contra statutum versus Iohannem nuper seruientem Rogeri le Cat, plegius de proseguendo Willelmus Esegar.

Miseri- Et predictus Iohannes venit et querens non est prosecutus. Ideo ipse et plegii sui de proseguendo in cordia. misericordia.

Stephanus, nuper seruiens Daud ap Ieunan, attachiatus est ad respondendum predicto Daud de placito conuencionis contra statutum vnde idem Daud queritur et dicit quod predictus Stephanus conuenit cum predicto Daud die Lune proximo post festum Natalis Domini anno xxix apud Scholle quod sibi deseruiet a festo Annunciacionis tunc sequente vsque festum Sancti Michaelis proxime sequens in officio tentoris capiendi salarium iuxta formam statuti etc. Et inde producit sectam.

Et predictus Stephanus venit et defendit vim iniuriam et dampnum, et dicit quod nullam fecit conuencionem cum predicto Daud sicut idem supponit etc. et paratus est hoc verificare etc.

Ideo preceptum est vicecomiti quod venire faciat coram nobis hic ad diem Sabbati proxime sequentem xii liberos et legales homines de visneto de Scholle qui nec etc. ad faciendum iuratam illam.

Willelmus le Shipward querens optulit se per plegium Iohannis Dasely versus Iohannem Westwales de placito conuencionis etc. vnde queritur et dicit quod predictus Iohannes conuenit cum predicto Willelmo die Lune proximo post festum Sancti Fabiani apud Byford quod sibi deseruiet a festo Annunciacionis beate

Marie anno xxx^o vsque festum Sancti Michaelis proxime sequens in officio fugatoris capiendo etc. [et] idem Iohannes a seruicio ipsius Willelmi se elongauit, vnde Willelmus deterioratus est et dampnum [habet] ad valenciam dimidie marce. Et predictus Iohannes venit et conuencionem non dedit. Ideo consideratum est quod predictus Willelmus [habeat],¹ dampna sua que taxantur per iusticiarios ad ii s. vi d. et predictus Misericordia. Iohannes (vi d.) in misericordia, plegius Iohannes de Kynarde.

m. 8 d. Placita apud Hereford', coram prefatis iusticiariis die Sabbati proximo ante festum Sancti Georgii, anno supradicto.

Preceptum fuit vicecomiti quod venire faceret coram nobis hic ad hunc diem xii liberos et legales homines de visneto de Scholle qui nec Daudid ap Ieunan nec Stephanum nuper seruientem suum aliqua affinitate attingant, ad recognoscendum super sacramentum suum si idem Stephanus conuenit cum predicto Daudid ad sibi deseruiendum etc., vt patet supra vel non etc. Et modo vicecomes respondet quod mandatum hoc est executum, et partes et iurati veniunt qui dicunt quod predictus Stephanus nullam fecit conuencionem etc. Ideo consideratum est quod predictus Daudid (iiii d.) sit in misericordia et predictus Stephanus eat sine die.

DATES AND PLACES OF SESSIONS.

Dates marked ‡ are those ascertained by the words "ad quem diem, etc.," but where the roll has no heading; dates in brackets are those on which the sheriff is to have the accused but which are not followed by "ad quem diem."

¹ MS. torn.

m. 1.	Hereford.	29 th year.	Monday after Nativity of Blessed Mary (8 Sept.).
m. 1 d.	"		Tuesday ditto.
	"		Wednesday ditto.
	["	30 th year.	Monday after Purification (2 Feb.).]
m. 2.	‡ "		Friday after St. Lucy (13 Dec.).
	"		Saturday ditto.
	‡ "		Friday after St. Hilary (13 Jan.).
	‡ "		Saturday ditto.
m. 2 d.	"		Monday after St. Mathias (24 Feb.).
	"		Tuesday ditto.
	"		Friday in week of Holy Trinity.
m. 3.	‡ Norton.	29 th year.	Thursday after All Saints' (1 Nov.).
	‡ Foxeleye.		Tuesday after St. Martin (11 Nov.).
	Bourghull.		Wednesday ditto.
	‡ Hereford.		Saturday after St. Hilary (13 Jan.).
	‡ Kyngestone.	30 th year.	Monday after Nativity St. John the Baptist (24 June).
	‡ "		Tuesday ditto.
	[Hereford.		Friday after St. Lawrence (10 Aug.).]
m. 3 d.	[Kyngestone.		Saturday after St. Clement, Pope (23 Nov.).]
	Bodenham.		Saturday after St. Barthol- omew (24 Aug.).
	‡ Sutton.		Monday after St. Giles (1 Sept.).
	‡ "		Tuesday ditto.

m. 4.	‡ Ledebury.	29 th year.	Monday after St. Michael (29 Sept.).
	“		Tuesday ditto.
m. 4 d.	Hereford.	30 th year.	Saturday, in Easter week.
	Ledebury.		Monday after close of Easter.
	‡ “		Tuesday ditto.
	[Hereford.		Saturday ditto.]
m. 5.	Webbeleye.	29 th year.	Thursday before St. Michael (29 Sept.).
m. 5 d.	Penebrugg.		Monday after St. Luke (18 Oct.).
	Almalie.	30 th year.	Wednesday after St. Mark (25 April).
	‡ “		Thursday ditto.
m. 6.	‡ Bromyerd.		Friday after St. Simon and St. Jude (28 Oct.).
	Cowern.	29 th year.	Tuesday after St. Vincent (22 Jan.).
	‡ Hereford.	30 th year.	Saturday after Annunciation (25 March).
	‡ “		Saturday after Whitsunday.
m. 6 d.	Frome Canon.		Morrow of St. Agatha (5 Feb.).
	‡ Eglynton.		Wednesday after St. David (1 March).
	Lanwaren.		Tuesday after St. Gregory (12 March).
	‡ Hereford.		Saturday after Annunciation (25 March).
	‡ “		Saturday in Trinity week.
m. 7.	‡ Rosse.	29 th year.	Morrow of All Saints (1 Nov.).
	Fowehope.	30 th year.	Thursday after St. Valentine (14 Feb.).

	‡ Hereford.		Saturday after Whitsunday.
	Bishop's Upton.		Monday after St. Swithin (2 July).
m. 7 d.	‡ Martteley.		Tuesday after St. Thomas of Canterbury (7 July).
	‡ Hereford.		Saturday ditto.
	Saint Waynard.		Thursday after St. James (25 July).
	‡ Landmabon.		Friday ditto.
	‡ Hereford.		Saturday ditto.
	Hereford.	31 st year.	Saturday after Conversion of St. Paul (25 Jan.).
m. 8.	Hereford.	30 th year.	Saturday after Annunciation (25 March).
	[“		Second Saturday after Annunciation.]
m. 8 d.	“		Saturday before St. George (23 April).
	“		Saturday after St. Michael (29 Sept.).
	‡ “		Monday ditto.

22 places; 56 days, during the regnal years 29, 30, and at the beginning of 31.

IX. Assize Roll, Hereford, 313. 30-33 Edw. III. 6 membranes.

Placita (de Operariis, etc.) coram eisdem.

The following enrollment explains the survival of this roll; Mem. L. T. R., 34, Hill., Communia, Presentaciones, etc., rot. 2 d.

Hereford'

Willelmus de Frome unus iusticiarius operariorum ponit loco suo Ricardum de Frome ad liberandum ad scaccarium extractas finium, exituum, excessuum et amerciamentorum coram

eodem Willelmo et sociis suis iusticiariis adiudicatorum de annis xxxii et xxxiii^o, necnon recorda et processus inde, per Willelmum de Peck de licencia baronum.

This roll is, for the most part, legible only in a small portion of the middle of each membrane. Since I have quoted at length from the preceding Hereford roll, I give very little of this.

The first membrane contains a copy of the letter patent of 5 Feb., 1357, appointing Frome, Oldecastel and Monyton justices of labourers and of weights and measures. See "List of justices," app., B, 3.

m. 6. Placita apud Leomynistre coram prefatis iusticiariis die Lune proximo post festum Sancti Georgii, anno xxxii^o.

Preceptum fuit vicecomiti quod venire faceret coram nobis hic ad hunc diem xx probos et legales homines de visceneto de Leomynistre ad audiendum et faciendum quod ex parte domini Regis eis esset iniungendum. Et modo vicecomes ¹ ——— quod mandatum istud in omnibus est executum.

Iurati presentant quod Willelmus le Flecchere, Ricardus Lorymere, Iohannes le Ba———— de Mappenore, Matillis Borgoyne et Isabella Grolbe, emebant bladum ————— domini regis. Ideo preceptum est vicecomiti quod venire faciat coram nobis hic die Veneris ————— ad respondendum domino Regi de transgressionibus predictis. Et predicti Willelmus le Fletcher (ii s.) ————— de Mappenore, Isabella Grolbe (xl d.), Ricardus Lorymere (ii s.) Matillis Borgoyne (xii d.), et Willelmus ——— veniunt coram nobis et ponunt se in gratiam domini Regis. Plegii de fine Ricardus ——— Romayne et Thomas Domer.

Adhuc Placita coram prefatis iusticiariis apud Leomynistre, ——— Apostoli anno supradicto.

¹ The lines indicate portions too faded to decipher.

Preceptum fuit vicecomiti quod venire faceret coram nobis hic ad hunc diem ——— de Leomynistre ad audiendum et faciendum quod ex parte domini Regis ——— respondet quod mandatum istud in omnibus est executum.

Iurati presentant quod Thomas Kempe (xl d.), Walterus Pegeon (xl d.), Hugo Pegeon (xl d.), Rogerus Bygot (xl d.), Dr—— Crompe, Hugo le Romain (ii s.), Walterus Notehale (ii s.), Iohannes Saundres (xii d.), Mattheus de Knygthton (xl d.), Iohannes ——— et Walterus Pegeon, junior (ii s.), carnifices, carius vendiderunt carnes suas contra ordinacionem

domini Regis hiis annis quam vendere solebant ante pestilenciam ad grave dampnum ——— quod Iohannes of the Louwer, Thomas Etton, Willelmus ———

stinnarii, Philippus, seruiens Iohannis Pyw ——— Eston, Ricardus Bryd, Willelmus de ——— Schonte, Robertus le Webbe (xii d.), Iuliana Scrog (vi d.), ——— cementarius, Iohannes le Trompour (xii d.), Thomas de Iuy— (xii d.), ——— le Gode, cerotecarii, Salomon Mascalt (ii s.), et Iohanna le (xii d.) ———

suis contra etc. quam capere solebant annis ——— ——— faciat omnes prenominatos seruientes et artifices coram nobis ——— domino Regi de excessibus predictis. Set omnes predicti carnifices, fabri, cerotecarii ——— gratis veniunt et ponunt se in gratiam domini Regis per plegium Iohannis Broun, Roberti Body, Iohannis de la ——— de Ederey.

DATES AND PLACES OF SESSIONS.

Thirty years during the regnal years 31, 32 and 33; none deciphered for 30th year.¹ Fourteen places; four more too

¹ In spite of the heading in *List of Plea Rolls*.

faded to read. I give only those that do not occur in the preceding roll: Malmushull (m. 1), Staundon (m. 1 d.), Bredenhull (m. 1 d.), Maddeleye (m. 1 d.), Petrischirche (m. 2), Wormelowe (m. 2 d.), Obeton (m. 3 d.), Leominster (ms. 6, 6 d.).

‡ X. Ancient Indictments, Lancaster, 54. 24 Edw. III.

The roll contains proceedings held during the summer of 1350 before de Lathum, Basset and their companions. On 20 Oct. of this year they and ten others were appointed to inquire into the violence of malefactors and to enforce the ordinance of labourers; see "List of justices," app., B, 3. There is, therefore, a slight discrepancy as to dates, which I have been unable to explain.

m. 2. Presentatum est per inquisitores ville Lancast' quod Agnes que fuit vxor Iohannis, filii Elie de Chorlegh, conduxit Emmam, filiam Ade le Writght de Chorlegh essendi in servicio suo de festo Sancti Iohannis Baptiste anno regni Regis Edwardi tercii a conquestu vicesimo quarto vsque ad festum Natalis Domini tunc proxime sequens, et dicta Emma in seruicio suo intrare noluit set omnino contradixit contra formam statuti.

m. 11. Inquisicio de Preston capta apud Lanc' coram Thoma de Lathum et sociis suis iusticiariis domini Regis in comitatu Lancastrie die Martis proximo post festum Assumpcionis beate Marie Virginis, anno regni Regis Edwardi tercii post conquestum xxiiii^o per sacramentum

Item dicunt quod Robertus Alkockesknaue, le Merschall, manens in Eccliston non vult locari nemini¹ nisi habeat superfluam mercedem, et quod ipse fregit convencionem quem fecerit cum Cecilia que fuit vxor Alkock le Marschal.

(Indorsement.)

¹ MS. nemo, nisi si.

Inquisicio de Preston liberata¹ apud Lancastr' die Mercurii proximo post festum Assumpcionis beate Marie anno xxiii^o et habent diem predictam.

- m. 14. Inquisitio de Salfordsh' capta apud Lanc' die Mercurii proximo post festum Sancti Laurencii anno xxiii^{to} coram Willelmo Basset et sociis per sacramentum² qui dicunt quod Willelmus Tumson Kemmeson cepit vi s. et vnam tunicam cum capucio contra formam statuti per dimidium annum.

Iohannes, filius Thome Doggeson, ii s. contra statutum per dimidium annum.

Et Ricardus de Trafford quia dedit predictis operariis salarium contra statutum.

Item dicunt quod Henricus le Lister, Henricus, filius Galfridi del Brigge, carnifices, lucrati fuerunt vltra assisam in boue vno xviii d.

Item dicunt quod Iohanna, filia Ricardi Hanneson, cepit per dimidium annum ii s. vi d. maius quam capere solebat et Hik de Lymme, Henricus, filius Bobelyn, sutores, capiunt pro quolibet pari sotularum vltra id quod capere solebant per ii d. vnde lucrati fuerunt per annum vltra antiquum lucrum xx s.

Item dicunt quod Adam Dobbesson, Chikkyn, capiebat per ix dies post festum Assumpcionis beate Marie anno xxiii^o quolibet die iii d. vltra id quod capere solebat communibus annis et sic communiter capit in anno xxiii^{to}.

Item dicunt quod Willelmus, filius Iohannis le Hyne, cepit plus solito in hyeme xviii d. et per dimidium annum in estate plus solito per ii s.

Item dicunt quod Ricardus de Wyndhull soluit operariis plus solito vno homini per diem i d.

¹ MS. liberatum.

² Names of jurors.

Item dicunt quod Roger le Yhong, walker et sheremon, et Ricardus, filius Hugonis, walker et sheremon, capiunt pro cissure vnus virge tele plus solito per obolum et Adam le Walker de Bury, walker et sheremon, capit eodem modo predicto etc.

- m. 23. Inquisicio de Wygan capta die Iouis apud Wygan, in festo Sancti Oswaldi Regis coram domino Thoma de Lathum et sociis suis.

Item dicunt quod Adam le Lystersone de Wygan, Wilhelmus, filius Iohannis le Lyster, capellanus, Willelmus de —————¹ de Wygan, Thurstanus, filius Rogeri le Baxter, sunt per noctem vagantes et vacabundi et nolunt operare.

- m. 29. Derb'

Iurati dicunt quod Iohannes Toppynk cepit de Ricardo de Litherlond vii s. a festo Sancti Iohannis Baptiste vsque Natale Domini contra formam statuti.

Item dicunt quod Ricardus Wafte ‡ recusat se conduci vbi oblatus fuit per Ricardum le Waleys pro iiii s. et se abstraxit in partibus Cestrensibus quia noluit conduci nisi per dietas contra formam statuti.

Item dicunt quod Iohannes Schad, Willelmus Cottok, Adam del Wodis (cognouerunt; in prisona), oblati per seruientem domini Thome de Lathum quemlibet eorum iiii solidis et recusant capere contra formam statuti.

Item dicunt quod Willelmus le Dauber (prisona) cepit de diuersis hominibus pro labore suo iiii d. et victum suum per diem vbi magis non solebat capere nisi vnum denarium et victum per diem.

Item dicunt quod Symon Clobbe de Derby recusat se

¹ Illegible.

conduci nisi per diem et hoc per iii d. cum victu per diem et hoc cepit de Willelmo, filio Ade de Litherpoll.

Item dicunt quod Thomas Colle de Derby cepit de diuersis magistris iii d. pro opere suo cum victu per diem contra formam statuti.

Item dicunt quod Willelmus le Bakester,‡ Henricus del Bakhous (prisona), Henricus Staines, Willelmus, filius Alani de Schirwalactris,‡ vendunt carnes et pisces contra formam statuti.

‡ XI. Assize Roll, Lincoln, 524. 26-27 Edw. III. 3 membranes.

Placita Coronae coram eisdem (i. e. Willelmo de Skypwyth et sociis suis).

Praesentationes et Indictamenta.

It is not easy to determine the nature of this roll;¹ but it is my belief that proceedings before justices of labourers were recorded on membranes that also contained proceedings before justices of oyer and terminer and before the keepers of the peace, the confusion being the result of the fact that the same men, William de Skipwith and William de Stayn, had been appointed in these three separate capacities within the district of Lindsey. On 26 Oct., 1353, they were appointed justices of labourers (see "List of justices," app., B, 3), and on 15 Dec. of the same year, keepers of the peace. Pat. 27, pt. 2, m. 26 d.

m. 1 d. contains a copy of the king's writ to Skipwith as justice of oyer and terminer in Lindsey, bidding him deliver his records into chancery; dated 7 Nov., 28 Edw. III.

m. 1 d. Placita corone apud Lincoln' coram prefatis Willelmo de Skipwith et sociis suis iusticiariis etc., die Lune proximo post festum Sancti Michaelis, anno regni xxvii^o. . . .

¹ In my article I did not venture to include this roll, and as a matter of fact it is not safe to make dogmatic statements about the nature either of this roll or of that for Essex, no. vii.

- m. 2. Item presentant quod quidam Iohannes Skit fuit in seruicio domini Iohannis Dargentene carucarius tempore estiuali vltime preterito et quidam Rogerus Swynflete custos manerii abbatis de Seleyby apud Stalyngburgh conduxit predictum Iohannem Skit extra seruicium suum tempore iemali nunc pro sex solidis et propter frumentum purum et tantam terram quantum posset seminare cum duobus bussellis London' frumenti pro vna vestura et eciam vnam acram pisarum seminatum pro vna vestura, et propter tam magnum lucrum recessit de seruicio dicti domini Iohannis ad festum Sancti Martini ultime preteritum. Et postmodum predictus Iohannes Skit dubitauit indictari coram iusticiariis, ita quod non fuit ausus morari set recessit in extraneis partibus et sic predictus dominus Iohannes amisit seruicium predicti seruientis per defectum et maliciam predicti Rogeri et contra statutum domini Regis.

Item presentant quod Willelmus de Caburn de Lymbergh, carucarius, non vult seruire nisi per dietas et ad mensem et non vult comedere carnes salsas set recentes et propter hoc recessit de villa quia nemo audebat eum conducere tali modo et contra statutum domini Regis.

- m. 3. Presentaciones facte apud Ludam coram Willelmo de Skypwith et Willelmo de Stayn iusticiariis domini Regis etc. die Sabbati proximo post festum Epiphanie Domini anno regni . . . vicesimo septimo.

xii iurati hundredi de Louthesk presentant quod Simon de Steping de Luda, textor, operatur contra statutum, videlicet, vbi solebat capere pro tribus vlnis i d. nunc capit pro qualibet vlna i d.

Item idem Simon recusat ire ad carucam et ad alia opera excercenda in quibus solebat operari pro maiore stipendio habendo et excessiuo.

Item presentant quod Alexander Tasker de Luda est

communis triturator et laborator et capit quolibet die in excessu i d. ob.

Item presentant quod Iohannes Gentill de Burwell et Ricardus, filius Ade Panyarman de Somercotes, die Sabbati proximo ante festum Epiphanie Domini anno regni domini Regis nunc Anglie vicesimo septimo apud Ludam vi et armis in Henricum Clere, capellanum et Thomam filium Galfridi West de Walesby insultum fecerunt et ipsum Thomam verberauerunt,ulnerauerunt et male tractauerunt contra pacem domini Regis. Per quod preceptum est vicecomiti quod venire faciat eos etc.

‡ XII. Assize Roll, Rutland, 731. 25-27 Edw. III. 10 membranes.

Placita coram Galfrido de la Mare et sociis suis.

Fines et Amerciamenta.

Praesentationes et Indictamenta.

An earlier list of Assize Rolls gives the following heading: Rutland. Rotulus presentationum de excessis, etc. contra Statutum de Laboratoribus, temp. Edw. III.¹

On 15 March, 1351, de la Mare and five others were appointed on a joint commission of the peace and for labourers. See "List of commissions" and "List of Justices," app., B, 2 and 3.

m. 1. Coram Galfrido de la Mare et sociis suis iusticiariis domini Regis in comitatu Rotel' ad statuta Northamptonie et Wintonie necnon ad statutum artificum et laboratorum et conservandi pacis conservanda² apud Keton die dominica proxima post festum Decollacionis Sancti Iohannis Baptiste anno regni Regis Edwardi tercii post conquestum xxv.

¹ Cf. app., 142, note 4.

² Perhaps a more accurate rendering than that given in my article, in *E. H. R.*, 532; the manuscript is badly faded.

- m. 2. Coram Galfrido de la Mare et sociis suis, die Martis in festo Sancti Nicholai apud Vppingham, anno regni . . . vicesimo quinto.

Vppingham.

Constabularius presentat [quod] Thomas Smyt (ii s.) cepit contra statutum, videlicet, pro pecia ferri vi d. et pro vno punctu¹ i d. et fecit finem.

- m. 6. Coram G. de la Mare et sociis suis iusticiariis domini Regis apud Okham die Iouis proxima post festum Sancti Michaelis anno regni . . . vicesimo septimo.

Elizabeth, filia Henrici de Screffington, . . .² attachiate fuerunt ad respondendum domino Regi ad hunc diem quare in prima septimana autupni exiebant villa de Northlufnam in qua manebant et ibant apud Berendon et ibi seruiebant domodo oblatum fuit eis competens seruicium in villa de Northlufnam supradicta, et omnes preter Amiciam, vxorem Henrici Tiler, veniunt et dicunt quod non sunt culpabiles. Ideo preceptum est balliuo quod venire faciat xii contra etc. incurrendum etc., et predicta Amicia non venit; ideo preceptum capere eam.

- m. 6 d. Coram G. de la Mare et sociis suis iusticiariis domini Regis apud Okham die Lune in festo Sancte Katerine anno regni . . . vicesimo septimo.

(Twenty-four women and one man are indicted for selling beer contrary to the statute): braciatores veniunt et allocuti sunt per iusticiarios quia vendunt seruicium contra statutum; et Emma et alie dicunt quod

¹ MS. pucco; punctu is merely a guess.

² Five other women.

non sunt culpabiles et hoc parate sunt verificare per patriam, et postea compertum est quod non sunt culpabiles et iurate sunt quod amodo conseruent statutum.

m. 7. (A copy of the letter patent referred to above.)

Pretextu cuius brevis preceptum fuit vicecomiti quod venire faceret coram prefatis iusticiariis etc. apud Okham die Mercurii proximo post festum Corporis Christi anno regni Regis Edwardi tercii post conquestum xx^{mo} quinto de quolibet hundredo comitatus sui tam infra libertates quam extra viginti quatuor tam milites quam alios liberos et legales homines etc. ad inquirendum super sacramentum suum in premissis etc., et vicecomes fecit inde execucionem ut patet in sequenti etc. Rotel'.

Presentaciones et indictamenta facta coram prefatis iusticiariis apud ¹ ——— die et anno supradictis.

xii iurati hundredi de Martinesle presentant quod Thomas Writh cepit in excessu x d., per plegium Walteri, filii Roberti et Henrici Gregorii.

Item presentant quod Adam Skot, falcator, fecit finem [cum] domino Regi pro excessu vi d., per plegium Walteri, filii Roberti et Henrici Gregorii.

Et per plegium predictorum in excessu versus Robertum de Helwelle de excessibus ab eo captis.

Item presentant quod Petrus Boneface . . . ² sunt rebelles et nimis excessiue capiunt tam per dies quam per septimanas, et postquam iurati fuerunt ad seruiendum in villa predicta, exierunt in alias villas et noluerunt laborare in villa predicta nisi possent excedere formam statuti.

¹ A blank space on the roll; it is more than probable that the place and date are those named in the order to the sheriff.

² Five others.

m. 7 d. Presentaciones et indictamenta facta apud Ouerton in festo apostolorum Petri et Pauli anno . . . vicesimo quinto coram prefatis Galfrido et sociis suis. . . .

Rotel'

xii iurati presentant quod Rogerus Hood cepit pro stipendio in excessu ii s. ii d. excedentes ordinacionem et prouisionem prefatas etc. et de dictis denariis solvendis inuenit plegium consimilem.

Item dicunt quod Symon, balliuis domini, ibidem questus fuit de Iohanne Garde quod ipse cepit stipendium excessiuum ab eo; per cognicionem ipsius Iohannis inuentum est quod cepit in stipendio excessiuo pro tempore iemali xii d. contra ordinacionem etc.

Item presentant quod Hugo Plomer cepit in excessu pro iluminacione ecclesiarum et aliarum domorum vi s. contra ordinacionem etc. et inuentum est per cognicionem ipsius, et postea euasit de iusticiariis antequam securitatem inuenerit de dictis vi s.

Item presentant quod Thomas Chapman cepit in excessu in opere autumpni xviii d. de Roberto Seusex et hoc inuentum est ad sectam eiusdem Roberti. Ideo liberatus eidem. . . .

m. 8. Assessio coram G. de la Mare et sociis suis apud Okham die Lune proxima post festum apostolorum Petri et Pauli, anno regni . . . vicesimo septimo.

Memo- Ordinatum est per iusticiarios quod nullus
randum. carectarius seruiens capiet plus quam octo solidos per annum integrum et hoc sub pena inprisonamenti.

Finis iii d. Ricardus Skynner de Wisundeyn, carectarius,
Excessus cepit de Roberto Elwelle xii d. in excessu et
xii d. manucaptor eius de excessu et fine Iohannes Schowne.

Inprison-
atus, finis
ii s. Robertus Geke de Wisyndeyn indictatus est quia ipse capit per diem ii d. et prandium, et non vult esse in seruicio alicuius et venit in presenciam iusticiariorum et ideo adiudicatus in prisonam et postea venit et finem fecit, manucaptor. Iohannes Malyn.

Manton
Finis vi d.
Excessus
xii d. Iohannes de Multon cepit de Iohanne Aterenes de Manton in excessu xii d., de Willemo Freman xii d. in excessu; ideo etc. et postea fecit finem et manucaptor eius Willemus Witede.

Finis iii d.
Excessus
xii d. Robertus Palmer de Aswelle dedit in excessu Willemo de Endirby xii d. in excessu, et manucaptor eius de excessu et fine, Thomas Palmer.

Kylgisham
Finis vi d.
placita
preceptum
est balliuo
venire
faciat xii. Constabularius, Henricus de Branston, presentat quod Rogerus Bailly vendidit seruiciam contra statutum bis, videlicet, lagenam pro i d. et obolo, et predictus Rogerus dicit quod non vendidit lagenam nisi pro i d., et hoc paratus est verificare per patriam; et ideo preceptum est balliuo quod venire faciat xii etc.

Greccham
preceptum
est. Constabularius de Grecham presentat quod attachiauit omnes laboratores et seruientes et non veniunt; ideo preceptum est constabulario quod attachiat eos.

Wynges.

Constabularius dicit illum bene.

m. 9. Coram G. de la Mare et sociis suis apud Northluf die Martis proximo post festum Sancti Mathei anno supra.¹

¹ Probably the same year as the next entry.

Caldecote.

Constabularius presentat quod omnes laborarii et artifices capiunt secundum statutum et iurati sunt.

Bissebrok.

Omnes laborarii et artifices examinati sunt et bene.
Coram G. de la Mare et sociis suis apud Hamyldon,
die Mercurii proximo post festum Sancti Mathei anno
vicesimo sexto.

Kilpsam.

Inuentum est per recognicionem Mariorie Virgin
quod ipsa cepit excessive vi d., manucaptor de fine iii
d. et excessu Ricardus Miln.

Pikworth.

Inuentum est quod Iohannes atte Kirche dedit Mar-
iorie Foliamyn a festo Pasche vsque ad festum Mich-
aelis v s. et sic in excessu xviii d., manucaptor de ex-
cessu et fine (iii d.) Iohannes predictus.¹

m. 9 d. Coram G. de la Mare et sociis suis apud Okham die
Martis proxima post festum Epiphanie anno vicesimo
sexto.

Lidington.

Constabularii presentant quod non sunt laborarii nec
artifices qui capiunt vltra statutum.

DATES AND PLACES OF SESSIONS.

m. 1.	Keton.	25 th year.	Sunday after the Behead- ing of St. John Baptist (29 Aug.).
	Ocham. ²		Monday after Nativity of Blessed Virgin Mary (8 Sept.).

¹ It is not clear who this "Iohannes" is.

² Spelt in the roll with either "c" or "k;" now Oakham.

m. 2.	Uppingham.		Tuesday, St. Nicholas (6 Dec.).
	Northluffnam.		Saturday after Conception of Blessed Virgin Mary (8 Dec.).
m. 3 d.	Tinewell.		Thursday ditto.
m. 4.	Exton.	torn.	Monday after St. Thomas (21 Dec.).
m. 5.	Ocham.	25 th year.	Wednesday after Corpus Christi.
m. 6.	"	27 th year.	Thursday after St. Michael (29 Sept.).
m. 6 d.	"		Monday, St. Katherine (25 Nov.).
m. 7.	blank.	no date. ¹	
m. 7 d.	Overton.	25 th year.	Feast of St. Peter and Paul (29 June).
m. 8.	Okham.	27 th year.	Monday after St. Peter and Paul (29 June).
m. 8 d.	Northluffnam.		Saturday, St. Margaret (20 July).
m. 9.	"	26 th year. ²	Tuesday after St. Matthew (21 Sept.).
	Hamylton.		Wednesday ditto.
m. 9 d.	Okham.		Tuesday after Epiphany (6 Jan.).
	Assewell.		Monday before Conversion of St. Paul (25 Jan.).
m. 10.	illegible.	27 th year.	Monday after St. John Baptist (24 June).
m. 10 d.	Ockham.	27 th year.	Thursday in Whitsunday week.
	Bradtoft.		Monday after Corpus Christi.

¹ See app., 199, note 1.² See app., 201, note 1.

XIII. Assize Roll, Somerset, 773. 32-33 Edw. III. 12 membranes.

Indictamenta et processus tangencia operarios, artifices, et servientes.

Cf. Mem. L. T. R., 34, Mich., Breu. Ret., rot. 32.

Somerset'

Preceptum est vicecomiti quod distringat Edmundum de Clyueden, Walterum de Rodeneye et Thomam Fitz Iames iusticiarios ad ordinationes et statuta de operariis et artificibus ac seruientibus necnon de ponderibus et mensuris in comitatu Somersetie custodienda assignatos per terras etc., ita etc., in xv^a Sancti Hillarii ad liberandum ibidem omnes extractas finium, excessuum, exituum et amerciamentorum coram eisdem iusticiariis adiudicatorum in sessionibus suis iusticiarie predictae vt executio fiat pro comodo Regis ad leuandum fines, exitus et amerciamenta predicta prout decet.

Teste vt supra [Teste G. de Wilforde quarto die Decembris] per warrantum predictum.

Extracte de quibus supra fit mencio liberantur hic xxviii die Ianuarii hoc anno et sunt in custodia clerici extractarum hic in scaccario. Ideo dictum breue emanatum reuocetur et cesset.

A long list of similar writs to the sheriffs of other counties follows. In the case of this roll the penalties and the *placita* were recorded on the same membranes, and therefore the latter also were sent to the exchequer.

The roll is particularly full and clear, containing numerous lists of exactly the same type as those selected for printing.

The first membrane contains a copy of the letter patent, dated 26 Jan. 1358, appointing Husee, Clyvedon, Rodeneye and Fitz James justices of labourers and of weights and measures; see "List of justices," app., B, 3.

m. i. Virtute cuius commissionis iidem iusticiarii mandauerunt precepta sua vicecomiti comitatus predicti¹ quod venire faceret de quolibet hundredo, burgo tam

¹ MS. predicto.

infra libertates quam extra xii liberos etc. de meliore etc. per quos rei veritas etc. ita quod sint coram nobis apud Well' die Lune in prima septimana Quadregesime anno predicti Regis Edwardi xxxii ad audiendum et faciendum etc. Quo die inquisitiones capte fuerunt de hundredis etc. qui dicunt per sacramentum suum quod etc.

Item iurati hundredi de Welwe dicunt quod Margareta Rakers, Alicia Sprakes, Editha Deye, Agnes Clerkes, Willelmus Rosesone, Alesia Taillour, Iuliana Lauynton, Iuliana, vxor Walteri atte Broke, Iohannes Benet, sunt communes laborarii et quilibet eorum ceperunt excessiue vi d.

Item quod Agnes Adekynes, Elena Gould et Editha Edward, filatrices, quelibet earum ceperunt excessiue vi d.

Item quod Hugo Masson, Radulfus Lange, Cecilia, vxor Iohannis Payn, Agnes le Reue, Iohannes Goudrich, Ricardus Houwes, Iohannes Palton, Walterus Soutere, Iohannes Simond, Editha Cornere, textrices, ceperunt quilibet eorum excessiue xii d.

Item iurati hundredi de Wynterstoke dicunt quod Walterus Dauī, Willelmus Boniour, Iohannes Caudron, Iohanna Cole, Willelmus Lange, Isabella seruiens Iohannis Felawe, Editha Traci, Editha Cesse, Editha Goky, Radulfus Cole, Iohannes Smalstret, et Agnes Fagon sunt communes laborarii et quilibet eorum ceperunt excessiue vi d.

(Many more indictments.)

m. i d. Super quo prefati iusticiarii mandauerunt precepta sua vicecomiti comitatus predicti quod attachiaret predictos Iohannem.¹

¹ A long list follows of the indicted of various hundreds including the names printed *supra*.

m. 2.

. ita quod haberet corpora eorum coram nobis apud Somerton die Lune in tercia septimana quadragesime tunc proxime sequente etc. ad respondendum domino Regi de diuersis transgressionibus contra formam statuti vnde indictati sunt etc.

Ad quem diem predictus vicecomes respondet quod predicti Iohannes Denemedede, Margeria Thrabbe et omnes alii in breue nominati in omnibus hundredis predictis cāpti sunt et in custodia etc.

Super quo veniunt predicti Iohannes Denemedede, Margeria Thrabbe et omnes alii superius nominati coram prefatis iusticiariis allocuti qualiter se vellent acquietari de transgressionibus predicta.

Et predicti Iohannes Denemedede, Margeria Thrabbe et omnes alii in breue nominati de transgressionibus predicta cognouerunt quod inde sunt culpabiles et posuerunt se in grāciam domini Regis.

Et super hoc accepti fuerunt ad faciendum finem vt sequitur etc.

Hundredum de Welwe.

Margareta Rakers de fine per plegium Ricardi Houwes pro eadem vi d. [i. e. pro diuersis transgressionibus contra formam statuti].

- | | |
|-------|--|
| Finis | Alicia Sprakes de fine per plegium Iohannis Mounfort pro eadem vi d. |
| Finis | Editha Deye de fine per plegium Iohannis Hynebest pro eadem xii d. |
| Finis | Agnes Clerkes de fine per plegium predicti pro eadem xii d. |
| Finis | Willelmus Rosesone de fine per plegium Iohannis Mounfort pro eadem vi d. |
| Finis | Alesia Taillour de fine per plegium predicti pro eadem vi d. |
| Finis | Iuliana Lauynton de fine per plegium Iohannis Hynebest pro eadem xii d. |

- Finis Iuliana, uxor Ade¹ atte Broke, de fine per plegium predicti pro eadem xii d.
- Finis Iohannes Benet de fine per plegium Iohannis Mounfort pro eadem xii d.
- Finis Agnes Adekynes de fine per plegium Rogeri Payn pro eadem vi d.
- Finis Elena Golde de fine per plegium Ricardi Frend pro eadem xii d.
- Finis Editha Edward de fine per plegium Rogeri Payn pro eadem ii s.
- Finis Hugo Masson de fine per plegium Iohannis Mounfort pro eadem xii d.
- Finis Radulfus Lange de fine per plegium predicti pro eadem xii d.
- Finis Cecilia, vxor Iohannis Payn, de fine per plegium predicti pro eadem vi d.
- Finis Agnes le Reue de fine per plegium predicti pro eadem vi d.
- Finis Iohannes Goudrich de fine per plegium Rogeri Reynold pro eadem vi d.
- Finis Ricardus Houwes, webbe, de fine per plegium predicti pro eadem xii d.
- Finis Iohannes Palton, webbe, de fine per plegium Iohannis Mounfort pro eadem vi d.
- Finis Walterus Soutere de fine per plegium Iohannis Palton pro eadem xii d.
- Finis Iohannes Simond de fine per plegium Thome Bathe pro eadem xii d.
- Finis Editha Cornere de fine per plegium Walteri Soutere pro eadem xii d.
- m. 2 d. Hundredum de Wynterstoke.
- Finis Walterus Dauy de fine per plegium Willelmi Boniour pro eadem xii d.
- Finis Willelmus Boniour de fine per plegium Walteri Dauy pro eadem xii d.

¹ Walteri in indictment.

- Finis Iohannes Caudron de fine per plegium Iohannis Sotton pro eadem vi d.
- Finis Iohanna Cole de fine per plegium Roberti Beauchamp pro eadem xii d.
- Finis Willelmus Lange de fine per plegium Iohannis Tailour pro eadem xii d.
- Finis Isabella, seruiens Iohannis Felauwe, de fine per plegium Roberti Beauchamp pro eadem vi d.
- Finis Editha Tracy de fine per plegium Willelmi Priwet pro eadem xl d.
- Finis Editha Cosse de fine per plegium predicti pro eadem xii d.
- Finis Editha Goky de fine per plegium Willelmi Langé pro eadem ii s.
- Finis Radulfus Cole de fine per plegium Nicholai Halberton pro eadem vi d.
- Finis Iohannes Smalestret per plegium Ricardi Couk pro eadem xii d.
- Finis Agnes Fagon de fine per plegium Willelmi Prywet pro eadem xii d.
- m. 5. Ad sessionem tentam apud Well' die Lune proximo post festum Natiuitatis beate Marie anno regni . . . tricesimo secundo.

(Usual order to sheriff.)

Item iurati hundredi de Frome dicunt quod Robertus Bryan, Rogerus Hulleman, Iohannes Churchey, Walterus Webbe, Rogerus Lysoun, et Alicia, vxor Iohannis Corslegh, sunt textrices et alii communes laborarii et quilibet eorum ceperunt excessiue contra formam statuti xii d.

- m. 5 d. (Presentments are made for offences in other hundreds; then the justices order the sheriff to attach the indicted, including those named, to be at Taunton on Monday after St. Matthew; on this day the sheriff returns that they are in custody. They plead guilty and are fined.)

- m. 6. Hundredum de Frome.
- Finis Robertus Brayn de fine pro eadem [i. e. pro transgressionem contra statutum] per plegium Laurencii atte Welle ii s.
- Finis Rogerus Hulleman de fine pro eadem per plegium Walteri Whirligan xii d.
- Finis Iohannes Churchi de fine pro eadem per plegium predicti vi d.
- Finis Walterus Webbe de fine pro eadem per plegium Wilhelmi Cayner vi d.
- Finis Rogerus Lisoun de fine pro eadem per plegium Iohannis Corslegh xl d.
- Finis Alicia, vxor Iohannis Corslegh, de fine pro eadem per plegium Rogeri Lisoun xl d.
- m. 8. Ad sessionem tentam apud Welliam, die Lune in prima septimana Quadragesime anno . . . tricesimo tercio.
- Item xii electi et iurati de hundredo de Whyston dicunt per sacramentum suum quod Editha Quinterel, Iohanna, vxor Iohannis Bal, Iohanna Longespy sunt communes filatrices et Willelmus Aleyn, Willelmus Malyn, Willelmus Girard, Iohannes Drake, Walterus Halyete, Willelmus Chynnoke, Editha Paynot, sunt communes textores, et Ricardus Chas, Willelmus Chas, Thomas Chas, Iohannes Baker, Alicia, vxor Iohannis Skot, Ricardus Lynstede, Robertus Burman, et Adam Soutere sunt carbonarii et vendunt carbones et ceperunt excessiue lucrum, sic quilibet eorum cepit excessive xii d.
- m. 9 d. (Sheriff ordered to attach them to appear on Monday after feast of St. Nicholas at Bridgewater.
All appear on that day and plead guilty.)
- m. 10 d. Hundredum de Whitston.
- Finis Editha Quintrel de fine pro eadem per plegium Iohannis Cole vi d.

Finis	Iohanna, vxor Iohannis Bal, de fine pro eadem per plegium Thome Bal xii d.
Finis	Iohanna Longespey de fine pro eadem per plegium Iohannis Boteler xviii d.
Finis	Willelmus Aleyn de fine pro eadem per plegium Iohannis Souterman xii d.
Finis	Willelmus Malyne et Editha vxor eius de fine pro eadem per plegium Clementis le Eyr ii s.
Finis	Iohannes Drake de fine pro eadem per plegium Rogeri Gonyz xl d.
Finis	Willelmus Chynnokes de fine pro eadem per plegium Willelmi Samuel ii s.
Finis	Editha Paynot de fine pro eadem per plegium Iohannis Palmere xii d.
Finis	Ricardus Chaz de fine pro eadem per plegium Thome Chaz xii d.
Finis	Thomas Chaz de fine pro eadem per plegium predicti ¹ xii d.
Finis	Willelmus Chas de fine pro eadem per plegium predicti xii d.
Finis	Iohannes Bakere de fine pro eadem per plegium Iohannis Skot xl d.
Finis	Alicia, vxor Iohannis Scot, de fine pro eadem per plegium Iohannis Bakere ii s.
Finis	Ricardus Lynstede de fine pro eadem per plegium Willelmi Samuel xii d.
Finis	Robertus Burnam de fine pro eadem per plegium Ricardi Petyuyn xviii d.
Finis	Adam Soutere de fine pro eadem per plegium Iohannis Southerman ii s.

The dates and places of sessions are all noted in the extracts printed; four Mondays in the 32nd year, and two Mondays in the 33rd year, at four different places.

¹This seems to make Thomas Chaz his own "plegium;" probably Ricardus Chaz is meant.

XIV. Assize Roll, Surrey, 907. 25-26 Edw. III. 4 membranes.

Praesentationes et Indictamenta coram Ricardo de Birton et aliis.

*Placita de quibusdam servitoribus et laboratoribus apud Limenesfeld.*¹

Two distinct rolls.

Roll I.

The first membrane contains a copy of the letter patent, dated 15 March, 1351, appointing Huse, de Wylughby, de Grene, de Notton, de Birton, de Bekwell, de Roulegh, atte Wode and atte Watere on the joint commission of the peace and for labourers; de Loxley was associated to the commission on 27 Nov. of the same year. On 15 Sept., also 1351, de Roulegh and atte Wode were removed from the commission and were ordered to deliver to Huse and de Bekwell any records in their possession; see "List of justices," app., B, 3.

Attached to this roll is the following writ:

*Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, dilecto et fideli suo Henrico de Beke-
welle, salutem.*

Volentes certis de causis cerciorari super omnibus indictamentis, recordis et processibus coram vobis et sociis vestris iusticiariis nostris ad diuersas felonias et transgressionem in comitatu Surreie audiendum et terminandum assignatis habitis, inchoatis et non terminatis et in custodia vestra, vos, prefate Henrice, existentibus, vobis mandamus quod omnia huiusmodi indictamenta, recorda et processus penes vos residencia habeatis coram nobis in crastino Sancti Martini vbi-cumque tunc fuerimus in Anglia, vt hiis inspectis vterius inde facere valeamus quod de iure et secundum legem et consuetudinem regni nostri Anglie inde fore viderimus faciendum. Et habeatis ibi hoc breve.

¹ Now Limpsfield.

Teste W. de Shareshull apud Kingeston super Thamisiam, quarto die Novembris anno regni nostri Anglie vicesimo septimo, regni vero nostri Francie quarto-decimo.

- m. 1. Presentaciones et indictamenta facta coram prefatis Ricardo de Birton, Henrico de Loxele et Henrico de Bekewell iusticiariis etc. apud Guldeford predicto die Lune proximo post festum Sancti Hillarii anno regni vicesimo quinto.
- m. 1 d. (Presentment against de Roulegh for breaking his oath as justice of labourers in the 24th year; see pt. i, ch. i, s. 5.)
- m. 2. Presentaciones et indictamenta facta apud Guldeford coram prefatis Ricardo de Birton, Henrico de Loxele et Henrico de Bekewell iusticiariis etc. die Martis proximo post festum Annunciationis beate Marie anno regni vicesimo sexto.

Surr'

Iuratores diuersorum hundredorum comitatus predicti . . .¹ presentant quod vbi Iohannes de Rowelex extiterat vnus iusticiariorum domini Regis ad inquirendum de diuersis feloniiis et transgressionibus et ad statutum de operatoribus conseruandum et ad alia maleficia audienda et terminanda in comitatu predicto, ibi Iohannes de Rowelex pluribus vicibus solus sedebat sine warranto, videlicet apud Certeseye, Kyngeston, Guldeford et alibi in comitatu predicto et populum domini Regis coram eo iniuste vexauit et indictamenta cepit et indictatos inprisonauit et tali colore de hominibus sic indictatis cepit diuersos fines ad opus suum proprium, scilicet de quodam Henrico de Roppele de Chidyngfold x s., de Willelmo de Twynam de Kyng-

¹ Names of jurors.

ston dimidiam marcam per manus cuiusdam Iohannis Burcebrige, clerici sui et de pluribus aliis ad magnam pecuniarum summam et de quolibet laborario ad minus v d.; que se excedit ad summam xxxv li. et plus in oppressionem et graue dampnum tocius populi domini Regis et in ipsius Regis contemptum. (There are also other charges against him.) . . . Per quod preceptum fuit vicecomiti quod caperet eum etc.

Coram Rege Roll, 27, Mich., Rex, rot. 52, Surrey.

A long and important process against de Roulegh includes, among numerous charges, specific reference to his extortions from labourers. He is finally convicted and committed to prison.

Ibid., Rex, rot. 46, Surrey.

Jurors indict John Bushbrugg, lately clerk of John atte Roughle, for taking a bribe to conceal an accusation against a certain man for sale of leather at an excessive price. He is convicted and "fecit finem."

Roll II.

m. 2. Lymenesfeld.

Placita diuersorum artificum et aliorum laborariorum tenta ibidem¹ coram Iohanne de Hadresham infra libertatem abbatis de Bello die Mercurii proximo ante festum Carnipriuii anno regni Regis Edwardi tercii post conquestum xxvii incipiente.

(The earliest record of the appointment of Hadresham is 20 June, 1354, as justice of labourers for Surrey; see "List of justices," app., B, 3.)

Finis vi d. Iohannes Croucheman, rotarius, venit et ponit se in graciam domini Regis. Et est finis vi d.

.

¹*I. e.* at Lymenesfeld.

- Finis vi d. Robertus Terselyn, pottere, venit et ponit se. Et est finis vi d.
- Finis Symond Duraunt inuenit plegium ad seruendum
condonatur. infra libertatem, Symonem de Excetre.
- Finis vi d. Walterus Ede venit et ponit se in graciam domini
Regis per plegium Willelmi atte Quarere. Et est
finis xii d.
- Finis Iohannes Merre venit et ponit se in graciam dom-
condonatur. ini. Et est finis.
- Finis vi d. Symond de Stonehamme venit et pro excessiva
donacione ponit se, per plegium Roberti Nutfilde
et R————¹ wyndenne; finis vi d.
- m. 2 d. Placita diuersorum artificium et laborariorum tenta
apud Lymnesfeld coram Iohanne de Haderesham in-
fra libertatem abbatis de Bello die Sabbati proximo
ante festum Sancte Marie Magdalene, anno regni . . .
xxvii^o incipiente.
- Edonia de Lyde liberata est Thome vicario de Cater-
ham seruendum eidem Thome usque finem [termini
sui]² secundum statutum etc.
- Finis Iohannes Proffete quia retraxit Edoniam de Lyde,
vi d. seruientem Thome, vicario de Caterham, ponit se in
graciam domini Regis.
- Inquisicio capta secundum ordinacionem statuti per
sacramentum Ricardi de Stafhurst, . . .³ iuratorum
qui dicunt . . . quod Ricardus Taillour, carpentarius,
seruit extra feodum domini contra ordinacionem.
(Eat quietus eo quod est in seruicio domini Regis.)

¹ MS. faded.² Probably to be thus read.³ Names of eleven other jurors.

Iohannes Crouchman, Alexander Pottere (ponit se. vi d.), Andreas Crouchman (ponit se), rotarii, vendunt contra statutum.

Ricardus Terselyn (ponit se. vi d.) et Robertus Terselyn (ponit se. vi d.), potteres, vendunt contra statutum; Hugo Horsman (capiatur), carbonarius, seruit extra feodum domini, Robertus Mowere (ponit se. vi d.), Lucia Frere (finis iii d.), braciatrix, vendunt pro ii d. contra statutum. Nicholas Payn (finis iii d.), faber, negavit seruire patriam, Walterus Ede, Thomas atte Mede (finis vi d.), faciunt carbones et vendunt extra dominicum (ita quod libere¹ non potest seruire, finem), Robertus Lyngelegh facit ut dictus Thomas, Nicholas Payn, Walterus Ede, Thomas atte Mede, contra ordinacionem. Ideo preceptum est attachiare omnes supradictos quod sint coram Iohanne de Haderesham die Lune in festo Sancte Marie Magdalene proxime futuro ad audiendum et faciendum ea que² ex parte domini Regis eis iniungentur.

m. 4. Surr'. Lymenesfeld.

Placita de seruitoribus, artificibus et aliis laborariis tenta ibidem coram Roberto de Belknappe infra videlicet libertatem abbatis de Bello virtute quarumdam literarum patencium predicto abbati inde directarum.³ Et eciam virtute eiusdem libertatis coram Rogero Huse et sociis suis iusticiariis allocatis apud Geldeford die Iouis in Octabis Assensionis, anno regni vicesimo quinto. . . .

(On 15 March, 1351, Huse was appointed on the joint commission of the peace and for labourers for Surrey, and on 20 June, 1354, on the commission for labourers; see "List of justices," app., B, 3. Of Belknap's appointment I have found no trace.)

¹ A doubtful reading; MS. lib.

² MS. quod.

³ MS. directo.

Famuli conuicti Nicholaus de Stafhurst (vi d.), Rogerus
 conuicti Daly (vi d.), Iohannes Melleward (vi d.).
 Thomas Waterman (iii d.), Willelmus
 (pauper), cartere, Iohannes Belamy (pau-
 per), Willelmus Aaron, (pauper), Iohan-
 nes Bayllyf (pauper), Walterus Notfeld
 (xii d.), Rogerus Lambard (iii d.), Io-
 hannes Melleword, senior (iiii d.), Iohan-
 nes Merey (x d.), Willelmus Spadiere (iii
 d.), Willelmus Wastel (vi d.), famuli et
 seruitores conuicti sunt ad sectam Iohannis
 de Pondfolde quod propter pestilenciam
 Excessus iiii s. vii d. mercedes ceperant excessiuas vltra id quod
 in partibus illis dare consueuerint, quilibet
 videlicet secundum quod super nomen
 ipsius annotatur. Ideo preceptum est
 quod summe predictae leuentur de eisdem.
 Et modo omnes predicti fecerunt sacra-
 mentum quod de cetero in libertate ista
 commorabunt, capientes stipendia et sala-
 ria in statuto contenta etc.

XV. Assize Roll, Warwick, 971. 31 Edw. III. 3 membranes.

Praesentationes ad Sessiones Iohannis Sparry et aliorum
 de Statutis de Operariis, etc.

On 5 Feb., 1357, de Conyngesby, Sparry and Spyneye were
 appointed justices of labourers and of weights and measures;
 see "List of justices," app., B, 3.

Attached to this roll are eleven writs addressed to the jus-
 tices, issued by the king as a result of petitions to him.

No. I. Edwardus, Dei gracia Rex Anglie et Francie et
 dominus Hibernie, iusticiariis nostris ad ordina-
 tionem et statuta de operariis, seruientibus et arti-
 ficibus ac de mensuris et ponderibus edita in
 comitatu Warr' custodienda assignatis, salutem.

Volentes certis de causis cerciorari que et quot fines, amerciamenta et exitus forisfacta in sessionibus vestris anno regni nostri Anglie tricesimo primo vsque ad Clausum Pasche eodem anno quo die parliamentum nostrum incepit, facta, affirata et adiudicata fuerunt, et de quibus personis, vobis mandamus quod scrutatis rotulis vestris de sessionibus predictis nos inde sub sigillis vestris in cancellaria nostra reddatis distincte et aperte sine dilacione cerciores, hoc breue nobis remittentes.

Teste me ipso apud Westmonasterium, xvi die Octobris, anno regni nostri Anglie tricesimo secundo, regni vero nostri Francie decimo nono.

Cf. with the above writ the following enrollment:

Mem. K. R., 34, Hill., Breu. Baron., rot. 3d.

pro Rege.

Rex thesaurario et baronibus suis de scaccario ac camerario suis, salutem. Quandam bagam cum diversis rotulis et recordis in eadem inclusis nobis in cancellaria nostra per Iohannem de Conyngesby et socios suos nuper iusticiarios nostros ad statuta de artificibus et seruientibus ac de ponderibus et mensuris abusus edita in comitatu Warr' custodienda assignatos de mandato nostro liberatam vobis mittimus, mandantes quod bagam predictam recipiatis et inde fieri faciatis quod ¹ fore videritis faciendum.

Teste Thoma filio nostro carissimo custode Anglie apud Westmonasterium, xxvi die Ianuarii, anno regni nostri Anglie tricesimo quarto, regni vero nostri Francie vicesimo primo.

No. 2.

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, dilectis et fidelibus suis Io-

¹ In MS. quod is repeated.

hanni Sparry et sociis suis iusticiariis ad excessus operariorum et seruientium in comitatu Warr' audiendos et terminandos assignatis, salutem. Querelam dilecti nobis in Christo abbatis de Pippewell recepimus continentem quod cum ipse habeat diuersas grangias et alia loca ad domum suam pertinencia quorum terre pro defectu operariorum et seruientium iacent friske et inculte, et licet idem abbas diuersos habeat tenentes in villis, grangiis, et locis predictis contiguis qui terras suas colere et sibi deseruire possent et pre ceteris deseruire deberent, vos, nichilominus, ad hoc considerationem non habentes, tenentes huiusmodi ad procuracionem quorundam emulorum ipsius abbatis aliis deseruire compellitis et per alios compelli facitis minus iuste, quamquam prefatus abbas sepius et cum instantia vobis supplicauerit huiusmodi tenentes suos ad deseruiendum ei pro competenti salario sibi liberari, super quo supplicauit sibi per nos de remedio congruo prouideri. Nos aduertentes non esse consonum rationi quod tenentes ipsius abbatis aliis deseruire cogantur dumtamen idem abbas de eorum seruiciis indigeat, vobis mandamus quod habito respectu ad necessitatem ipsius abbatis in hac parte ei tot operarios et seruientes de tenentibus suis et aliis quot ei pro terris suis colendis et aliis operibus suis perficiendis rationabiliter sufficere poterunt habere faciatis prout de iure et secundum formam ordinationis in hac parte facte fuerit faciendum.

Teste me ipso apud Westmonasterium, secundo die Maii, anno regni nostri Anglie tricesimo secundo, regni vero nostri Francie decimo nono.

No. 3.

An order addressed to the justices for the making of standard weights and measures, on complaint of Walter Gutying, of Evesham, whom the

same justices had proceeded against for selling wool by the old weights; 16 March, 32 Edw. III.

No. 4.

On complaint of the mayor, the justices are forbidden to interfere with the assize of bread and ale within the town of Coventry, this assize having been granted by Queen Isabel to the mayor, bailiffs and men of Coventry; 3 April, 31 Edw. III.

No. 5.

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, iusticiariis suis ad ordinacionem et statuta de operatoribus, seruientibus et vitelariis et de mensuris et ponderibus edita in comitatu Warrewichie, salutem. Monstrauit nobis Iuliana, comitissa Huntyngdon', domina maneriorum de Alleslee, Filonglee, Burthyngbury, Aston, Cauntelou, et Stodleyely,¹ in comitatu predicto quod cum ipsa habeat et habere debeat ipsaque et omnes alii domini maneriorum predictorum a tempore cuius contrarii memoria non existit, habere consueuerint visum franciplegii ibidem de omnibus hominibus et tenentibus suis in eisdem maneriis residentibus et emendas assise panis et ceruisie ibidem fracte et omnia alia ad huiusmodi visum franciplegii pertinencia; et licet eadem comitissa per balliuos suos maneriorum predictorum pistores et braciatores ac alios infra maneria predicta residentes pro assisa huiusmodi panis et ceruisie fracta et pro abusu² mensurarum et ponderum in maneriis predictis per amerciamenta et alio modo per ministros suos puniri et amerciamenta illa ad opus suum leuari fecerit, vos tamen eosdem pistores et braciatores et alios residentes predictos pro huiusmodi assisa panis et ceruisie fracta et abusu mensurarum et ponderum predictorum, ac si prius ea de causa puniti non

¹ A mistake for Stodleye, now Studley.

² MS. absu.

fuissent, per amerciamenta grauia alias punire intenditis, quod si fieret in ipsius comitis preiudicium, ac hominum et tenencium suorum predictorum oppressionem cederet manifeste. Et quia in magno consilio nostro apud Westmonasterium anno regni nostri Anglie vicesimo septimo tento extitit concordatum quod in inquisitionibus et punicionibus pro transgressionibus huiusmodi faciendis, libertates dominorum et aliorum semper saluentur, nolentes prefate comitis aut hominibus seu tenentibus supradictis iniuriari in hac parte, vobis mandamus quod si vobis legitime constare poterit prefatam comitissam visum franciplegii in maneriis predictis ac emendas assise panis et ceruisie de hominibus et tenentibus suis predictis in eisdem maneriis habere vt predictum est, tunc punicionibus huiusmodi pistorum, braciatorum et aliorum hominum et tenencium suorum predictorum ibidem pro huiusmodi assisa fracta et abusu mensurarum et ponderum, pro quibus coram balliuis comitis predictae puniti fuerint, coram vobis iterato faciendis supersedeatis omnino, ipsos pistores et braciatores, ac homines et tenentes suos predictos ex hac causa non molestantes in aliquo seu grauantes, prouiso semper quod mesure et pondera hominum et tenencium suorum predictorum standardo nostro sint concordancia, iuxta formam statutorum¹ inde editorum et quod omnia falsa mesure et pondera comburentur et adnullentur et quod ipsi pro delictis pro quibus prius puniti non fuerint, per vos puniantur prout decet.

Teste me ipso, apud Westmonasterium, xx die Iunii, anno regni nostri Anglie tricesimo primo, regni vero nostri Francie decimo octauo.

¹ MS. statutorum.

The following six writs deal with the same matters:

- No. 6. On complaint of the mayor of Coventry within the town of Coventry; 2 Aug., 31 Edw. III.
- No. 7. Within the jurisdiction of the prior of Coventry; 28 July, 31 Edw. III.
- No. 8. On complaint of John de Mohun within the manors of Great Compton and Whichford; 15 Nov., 31 Edw. III.
- No. 9. On complaint of the prioress of Eton; 18 May, 31 Edw. III.
- No. 10. On complaint of the prior and convent of Kirkeby "monachorum;"¹ 8 May, 31 Edw. III.
- No. 11. On complaint of Fulk de Bernyngham, lord of the manor of Bernyngham; 3 July, 31 Edw. III.

m. 1. Sessio Iohannis Sparry et sociorum suorum apud Warr', die Lune proximo post festum Sancti Gregorii Pape anno Regis Edwardi tercii post conquestum tricesimo primo.

Kyngton.

Mandatum fuit vicecomiti ex parte domini Regis quod venire faceret coram Iohanne Sparry et sociis suis iusticiariis domini Regis per commissionem suam eis directam ad excessus operatorum, servientium et artificum ac defectus ponderum et mensurarum in comitatu Warr' puniendos assignatis hic ad hunc diem xxiiii probos et legales homines de hundredo de Kyngton ac omnes constabularios villatarum et hameletarum eiusdem hundredi ad faciendum etc. Et vicecomes modo returnavit xxiiii etc. et similiter constabularios etc. secundum tenorem dicti mandati. Set inquisicio illa remanet capienda pro defectu

¹ Now Monks' Kirby.

iuratorum. Ideo preceptum est vicecomiti quod distringat predictos iuratos, scilicet Henricum de Pipe et alios per omnes terras etc. et quod de exitibus etc. ita quod habeat corpora eorum apud Warr' die Lune proximo post festum Annunciacionis beate Marie proxime futurum ad faciendum etc.

Constabularii dicti hundredi venerunt et fecerunt sacramentum. Et onerantur per eorum sacramentum ad inquirendum de omnibus articulis in ordinacionibus et statutis de operariis, seruientibus et artificibus ac de ponderibus et mensuris editis, et de nominibus illorum qui in abusu ponderum seu mensurarum deliquerint. Et ad capiendum sacramentum omnium et singulorum operariorum, seruientium et artificum in balliuis suis commorantium ad dictas ordinaciones et statuta observanda. Et habent diem ad presentandum et certificandum hic ut supra, quilibet constabularius sub pena xx s.

Pena

Venerunt eciam xii liberi de villatis de Warr' qui fuerunt iurati et onerati ad inquirendum de articulis predictis. Et habent diem hic vt supra, quilibet iuratus sub pena xx s. ad presentandum etc.

Couentre.

Sessio Iohannis Sparry et sociorum suorum apud Couentre die Lune proxima ante festum Annunciacionis beate Marie anno supradicto.

Knyghtlow.

Ad quem diem veniunt xxiiii etc. de hundredo de Knyghtlow per magnam districcionem, de quibus xii fuerunt triati, iurati et onerati ad inquirendum etc. qui nichil presentant ad hunc diem. Et datus illis dies ad presentandum apud Couentre

die Mercurii in septimana Pasche, cuilibet eorum sub pena xl s.

Presentacio constabulariorum hundredi de Knyghtlow.

Caldecote.

Constabularius presentat quod Willelmus de Sutton, Iohannes Malynes, Willelmus Harrys, Henricus Tayllour, Iohannes Prat, Rogerus Shepherd, Iohannes Pount, Iohannes Trauers, Ricardus Helpete, habent bussellos non concordatos standardo. Item Iohannes Pount vtitur auncella contra formam statuti, Avicia Simond, braciatrix et operatrix, recusat iurare propter constabularium; Willelmus Harrys habet lagenam non concordatam standardo.

Folkeshull.

Constabularius presentat quod Iohannes Wolf, Thomas Holbrok,¹ habent bussellos non concordatos standardo.

Item Iohanna, vxor Thome Rondulf, Hauicia, uxor Iohannis Vynsent, braciatrices, vtuntur mensuris non concordatis standardo.

Item presentat quod Robertus,‡ quondam seruiens Ricardi Vynsent, Iohannes Curly, Iohannes, seruiens Willelmi Bandy, Iohannes ‡ othe Lane, wyrdrawere, Ricardus Vynsent, wyrdrawere, Iohannes, seruiens Iohannis Scot, Henricus Bodyn et Iohannes Marchal,‡ faber, recusarunt iurare coram constabulario et sunt rebelles.

Item Willelmus Bown de Cleybrok recessit a seruicio Iohannis Wolf ante finem termini sui contra formam ordinacionis etc.

¹ Seven others named.

m. i d.

Adhuc Knythlow.

Lodbroke.

Constabularius presentat quod . . . Rogerus le Coltherde non uult seruire per terminum set per diem.

Wyleby.

Constabularius presentat quod

Item Willelmus le Cok, Thomas Crok,† Hugo le Cartere, Ricardus de Keresleye, Thomas Bithe Brok, et Hugo Pant non tenent nisi quartronam terre et nolunt seruire etc.

Presentacio iuratorum et constabulariorum vilate de Couentre ad eundem diem.

Couentre.

Diuersi constabularii presentant quod Willelmus Typet recessit a seruicio suo ante finem termini et cepit per diem iiii d.

Iohannes de Bilneye et Henricus, seruiens Willelmi Marchal, negauerunt iurare et sunt rebelles.

Agnes que fuit seruiens Willelmi Bray non uult seruire per annum pro minore quam xxx s. . . .

Reginaldus de Teue recusat iurare et est rebellis et cepit per diem v d. . . .

Couentre.

Sessio . . . apud Couentre, die Martis proxima ante festum Annunciacionis beate Marie anno regni Regis supradicto.

Knythlow Presentacio iuratorum.

Kirkeby.

Item presentant quod . . . Cristiana, vxor Regeri Ferst, exiit in aliam villam in autumpno post-

quam requisita fuit ad metendum in eadem villa
qua morabatur et cepit in excessu xii d.

Bulkynton.

Rogerus de Barton cepit in excessu in autumpno ii s. et est vacuus et non vult operare nec
seruire et alias finiuit.

Willelmus Martyn est a longo¹ vacuus et
potuit operare set illud recusat omnino.

Margeria Martyn elongauit et retinuit Willel-
mum Martyn, seruientem Iohannis de Couentre, a
seruicio dicti Iohannis etc.

(A long list of presentments for receipt of ex-
cess wages follows, most of the offenders belong-
ing to Coventry.)

m. 2. Sessio Iohannis Sparry et sociorum suorum
apud Solyhull die Veneris in septimana Pasche,
anno regni . . . tricesimo primo.

Presentacio constabulariorum hundredi de
Hemel'.

Aston.

Willelmus, filius Willelmi Watten, non
vult iustificari ad seruiendum et est rebellis.

Pollesworth.

Item David Walsheman recusauit artem suam.
Adam, seruiens Willelmi Dodenhale, est rebellis
et recusauit iurare coram dicto constabulario.

¹ MS. aīn.

m. 2 d. Presentacio constabulariorum hundredi de Kyngton.

Pabyngton.

Willelmus Marchal cepit pro operatione vnus pecie ferri ii d. obolum et pro ferro equino i d. obolum.

m. 3 Path' Sessio Iohannis de Conyngesby et sociorum suorum apud Stretford die Sabbati proximo post festum Exaltacionis Sancte Crucis anno xxxi^{mo}.

Stretford.

Constabularius presentat quod dominus Iohannes Rydel, monachus de Sounger, Henricus, ballius de Clifford Chaumberleyn, . . . ¹ conduxerunt messoros in autumpno per diem pro v d. vel vi d. contra formam ordinacionis et statuti etc.

(Presentments follow for hiring "messoros in autumpno pro duplici salario solito, videlicet pro vi d. per diem.")

Barlichway. Sessio Iohannis de Conyngesby et sociorum suorum apud Alyncestre die Lune proximo post festum Exaltacionis Sancte Crucis anno supradicto.

Stodleye.

Constabularius presentat quod Margeria, seruiens Iohannis Buryman, recessit a villa de Stodleye in autumpno pro maiore salario habendo. . . .

Alyncestre.

Constabularius presentat quod Iohanna Cherle-

¹ Nine others.

ford,‡ Iohanna Pupelton,‡ Cristiana Webbe, Petronilla Romay,‡ et Alicia Palmere ceperunt per diem in autumpno iiii d. et noluerunt seruire infra villam de Alyncestre causa maioris salarii lucri.

Snytenfeld.

Constabularius presentat quod nulli seruientes, operarii nec artifices fecerunt contra statutum etc.

Inquisicio de Iuratores hundredi de Barlichway, vicelicet Radulfus Pauncefot et socii sui presentant [etc.].
Alyncestre.

Item prepositus de Cherlecote allocauit messores per diem in autumpno pro vi d. publice.

m. 3 d. Path' Sessio Iohannis Conyngesby et sociorum suorum apud Henleye, die Martis proximo post festum Sancte Fidiei virginis anno xxxi.

Barlichway Iuratores hundredi de Barlichway
Inquisicio. presentant

Item presentant quod Alicia Portreve,‡ vxor Willelmi Portreve de Henleye, dat excessiua salaria mulieribus filantibus.

Item presentant quod Galfridus de Welneford, rector ecclesie de Kynenarton, dedit duobus famulis suis pro termino yhemali viii s. cum liberationibus eorum et cibo cotidiano percipiendi in aula sua.

DATES AND PLACES OF SESSIONS.

m. 1. Warwick.¹ 31st year. Monday after St. Gregory,
Pope (12 March).
Coventry. Tuesday ditto.
Monday before Annunciation
of Blessed Virgin Mary
(25 March).

¹Town of.

m. 1 d.		Tuesday ditto.
	Colleshull.	Wednesday ditto.
	Warwick.	Monday after Annunciation.
	Coventry.	Wednesday in Easter week.
	Warwick.	Thursday ditto.
m. 2.	Solyhull.	Friday ditto.
m. 3.	Stratford.	Saturday after Exaltation of Cross (14 Sept.).
	Alyncestre.	Monday ditto.
m. 3 d.	Henleye.	Tuesday after St. Faith (6 Oct.).
	Alyncestre.	———— ¹ after Epiphany (6 Jan.).

13 days; 7 places.

Endorsement of roll.

Memorandum quod prefati iusticiarii tenuerunt sessiones suas in diuersis locis infra comitatum ad omnia predicta terminanda et ad querelas conquerencium audiendas et similiter terminandas per xxvii dies, quorum fines patent in rotulo de finibus, videlicet in anno presenti post vltimum diem suprascriptum.

‡ XVI. Assize Roll, Wiltshire, 1018. 26 Edw. III. 16 membranes.

Praesentationes.

This roll consists entirely of proceedings on the statutes of labourers "coram deputatis iusticiariorum Regis," as well as before the justices themselves, and is especially valuable for the variety of occupations represented by the offenders. I give no extracts from it, as it was translated by Miss E. M. Thompson and printed in the *Wiltshire Archæological and Natural History Magazine*, xxxiii, under the title of "Offenders against the Statute of Labourers in Wiltshire, A. D. 1349."

¹ No day.

m. 7 contains the following heading:

Responsum Iohannis de Flory et Walteri de Littlecote deputatorum iusticiariorum domini Regis in Kynbridge apud Deuises die Lune in festo Sancti Barnabe anno xxvi^{to}.

Inquisicio capta apud Kynbridge coram Iohanne de Flory et Waltero de Littlecote deputatis Willelmi de Schareshull et sociorum suorum die Mercurii proximo post festum Sancte Trinitatis anno regni . . . xx^o sexto per sacramentum. . .

On 15 March, 1351, William de Shareshull and six others were appointed on the joint commission of the peace and for labourers; see "List of justices," app., B, 3.

‡ XVII. Ancient Indictments, Wiltshire, 131. 29 Edw. III.¹

This roll consists entirely of proceedings on the statutes of labourers "coram deputatis iusticiariorum."

m. 2. Kyngbridge.

Presentaciones et examinaciones facte coram Wilhelmo de Chuselden et sociis suis deputatis iusticiariorum in eodem hundredo anno regni . . xxix^o.

Finis. Et quod Stephanus Hobecok, tannere, cepit excessiue de diuersis hominibus ii s.

Quia habet Et quod Iohannes le Soutere de Netherworfton
terram qui alias iuratus fuit ad excercendum artem su-
sufficientem. toris etc. dictam artem recusauit contra formam
statuti.

Finis. Et quod Willelmus Burgh, stonleggere, cepit
excessiue pro arte sua xii d.

m. 3. Responsum deputatorum de Candon et Cadeworth.

Iohannes Blampe, seruiens de Berford, summonitus
fuit coram deputatis et non venit.

Alexander Merchant, seruiens de Hurdkote, summo-

¹ M. 7 includes the 28th year.

nitus fuit coram deputatis apud Netheraton et noluit venire.

Idem Alexander de villa summonitus fuit coram deputatis apud Notton et noluit venire.

m. 4. Noua Sarum.

Iohannes Stut elongauit et receptauit Cristinam Conynges a seruicio Iohannis Iustice ante finem termini inter eos concordati sine causa rationabili vel licencia recedendi¹ etc.; manucaptores Iohannes Scut, Iohannes Cole, Thomas Webbe.

Iohannes Charlemayn non est prosecutus versus Ricardum Pateneye de placito noui statuti.

Plegii de proseguendo, Thomas Tuffe, Iohannes de Langeforde.

(ms. 5, 6, 7, contain lists of labourers and craftsmen, weavers, butchers, *etc.*, in various districts who were guilty of the receipt of excess wages and prices.)

m. 8. Hundredum de Werminstre.

Finis Alicia Pryns, braciatrix, cepit excessiue prius indictata xl d.

Finis. Agnes Stiles, braciatrix, cepit excessiue vi d.

Finis Emma Bledon, braciatrix, cepit excessiue xii d.

Margareta Taillour, filatrix, cepit excessiue xii d.

Finis. Alicia Rattes, filatrix, cepit excessiue iii d.

m. 9. Worwelesdon.

¹ MS. recedent.

- Finis. Iohannes Elys, braciator, cepit excessiue xii d.
- Finis. Emma Goldes, filatrix, cepit excessiue xii d.
- Finis. Iohannes Ballare, senior, triturarius, cepit excessiue xii d.
- Finis. Iohannes Howes, carnifex, cepit excessiue xii d.

m. 12. Selkele. Responsum deputatorum ibidem.

- Finis. Nicholaus Danyel de Ricardeston, triturarius, cognouit quod percepit pro iiii quarteriis ordeï viii d. et sic cepit excessiue ii d.

Idem Nicholaus ‡ et Cristina vxor eius metierunt frumentum per vi dies in autumpno et ceperunt xvi^{mam} garbam, quequidam garba preualuit alias de tanto, quod quilibet cepit per diem excessiue i d.

Henricus Faber ‡ de Henton cepit per totum annum ad fabricandum i libram de spaynyschire iiii quarteria. Iohannes ‡ Tullok de Rabbedestone, braciator, vetuit vendere ceruisiam extra domum, set eam custodit de vno die ad aliam quod eam carius vendat etc.

‡ XVIII. Assize Roll, Wiltshire, 1019. 31 Edw. III. 3 membranes.

Inquisitiones de ponderibus, mensuris, etc.

Although the larger part of this roll consists of offences against the statute of weights and measures, it also contains instances of offences against the wages and price clauses of the statutes of labourers. The following entry explains its preservation:

Mem. K. R., 34, Hill., Breu. Baron., rot. 7 d.

pro Rege Rex thesaurario et baronibus suis de scaccario, salutem. Quandam bagam cum quibusdam rotulis et recordis in eadem inclusis nobis in cancellariam nostram

per Iohannem de Roches et socios suos nuper iusticiarios nostros ad statuta de operariis, seruientibus et artificibus ac de mensuris et ponderibus abusis in comitatu Wilt' custodienda assignatos de mandato nostro missam, vobis mittimus, mandantes quod dictam bagam cum rotulis et recordis predictis recipiatis et inde faciatis quod fore videritis faciendum.

Teste Thoma filio nostro carissimo custode Anglie, apud Redynges, xxx die Ianuarii anno regni nostri Anglie tricesimo quarto, regni vero nostri Francie vicesimo primo.

- m. i. Inquisicio capta apud Deuyses die Mercurii in septimana Pasche coram Iohanne Euerard et sociis suis iusticiariis domini Regis assignatis per commissionem domini Regis anno regni Regis Edwardi tercii post conquestum xxxi^o per sacramentum ¹ qui dicunt super sacramentum suum quod omnes subsequentes nominati vendiderunt [et] emerunt per mensuras non concordantes ad standardum et excessive ceperunt.

(On 5 Feb. 1357, Everard, de Roches and atte Bergh were appointed justices of labourers and of weights and measures; see "List of justices," app., B, 3.)

Quedhampton.

- Finis. Iohannes le Fysschere, senior, pistor, cepit excessiue vi d.

- Finis. Iohannes Oldebury, dobbere, cepit excessiue vi d.

- Finis. Robertus Muleward, carpentarius, cepit excessiue vi d.

Sharreneton.

¹ Names of the jurors.

- Finis. Iohannes Shoppere, cissor, cepit excessiue vi d.
 Finis. Iohannes Crowere, braciator, cepit excessiue vi d.

Hanggynggelangeford.

Walterus le Smyth, sunyere, cepit excessiue ii d.

- m. 1 d. Tydolueshyde.

Rogerus Haydon, braciator, cepit excessiue iii d. finis.

Walterus Pullyng, carnifex, cepit excessiue iii d.

Willelmus Floxhalkere, triturarius, cepit excessiue iii d.

- m. 3. Inquisicio capta coram Iohanne de Roches, Waltero Attebergh et Iohanne Everard die Lune proxima ante festum Annunciacionis beate Marie anno regni Regis Edwardi tercii a conquestu xxxi^o iusticiariis domini Regis ad audiendum et terminandum omnes transgressiones factas in comitatu Wiltes' per mensuras excessiuas cuiuscumque mesure seu ponderis contra ordinationem domini Regis nunc, et eciam predecessorum suorum a tempore quo non extitit memoria, et eciam super operarios, laborarios et alios contentos in ordinatione domini Regis capientes mercedes excessiuas de nouo constituta ¹ et edita et de assensu communis consilii magnatum regni sui per sacramentum. . . .

(Presentments by jurors of a long list of "venditores" and of five "emptores" guilty of excess prices.)

Omnes isti infrascripti et extra, venditores et emptores vnusquisque in gradu suo, vendiderunt et emerunt per buschellos excessiuos. Set dicunt dicti iurati quod dicti venditores quicquid vendiderunt ex-

¹ Probably 27 Edw. III, st. 1, c. 3; cf. app., 17.

cessiue contra voluntatem suam hoc fecerunt quia totum ad dampnum eorum. Set dicunt eciam quod emptores infrascripti et extra, ut in ciuitatibus¹ et burgis et aliis villis mercatoriis, pistoris, braciatores et alii mercatores emptores fecerunt buschellos suos ita excessiuos et per longum tempus sic eos continuarunt et adhuc continuant, ita quod nullus venditor aliter potest blada sua vendere et sic mensuram rectam domini Regis et predecessorum suorum spreuerunt et omnino deliquerunt ad graue [dampnum] domini Regis, magnatum suorum et aliorum terras tenencium regni sui.

In cuius rei testimonium sigilla sua apposuerunt.

m. 3 d. Isti subscripti sunt qui ceperunt mercedem excessiue in eadem villa (Fouente).

Robertus Warde, laborarius, cepit excessiue vi d.

Iohannes Silke, victualarius, cepit excessive xii d.

Iohannes Coke, victualarius, cepit excessive xii d.

Willelmus Mulewarde cepit in excessu vi d.

Iohannes Rede, laborarius, cepit in excessu xii d.

Rogerus Chalunners, laborarius, cepit in excessu ii s.

Iohannes Rolfe, braciator, cepit in excessu vi d.

Ricardus Tiverton, victualarius, cepit in excessu iii d.

Iohannes Bocher, laborarius, cepit in excessu iii d.

(An undated writ² at end of roll.)

Thomas Hungerford, vicecomes Wilt', balliuo hundredi de Alwardby, salutem. Ex precepto Iohannis de Roches et sociorum suorum iusticiariorum domini Regis tibi mando quod dis-
tingas priorem del Iuychurch, Henricum le Foxhuntere . . .³
ita quod habeas corpora eorum coram prefatis iusticiariis apud

¹ MS. ciuibus.

² Attached to it are sixteen narrow slips of parchment containing some of the names in the body of the writ.

³ A long list of indicted.

Nouum Sarum die Lune proximo post festum Sancti Nicholai ad respondendum domino Regi quare emerunt et vendiderunt per mensuras discordantes standardo. Et tu ibidem sis cum sufficienti responso tuo et hoc mandato.

Ancient Indictments, 164. Divers Counties.¹

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, vicecomiti Wiltes', salutem. Precipimus tibi quod exigi facias Walterum atte Bergh, ‡² braciatores hundredi de Calne, Ricardum Barleger, ‡ braciatores, et Cristiniam, ‡ vxorem Willelmi Thomelyn, braciaticem de eodem hundredo, Willelmum ‡ le carpenter de Immere, hundredi de Swanborough, Cristiniam Tabours de Schawe, Margeriam Sylle de Wylecote, vitellarias, ‡ Willelmum Dounyng de Escote, carpentarium, et Margaretam Magotes de eodem hundredo de Swanborough, Willelmum Ioye, triturarium hundredi de Calne, Willelmum ‡ Muleward, messorum hundredi de Alwardby, Cristiniam ‡ Dorsete, Iohannem ‡ Coe, Editham ‡ Muleward, Iulianam le Batyere, Radulfum ‡ Lollow, Rogerum Waleys, Thomam le Tayllour, Ricardum le Webbe de Westdeone, Isabelam ‡ Laurentz, messorum, ‡ Cristiniam ‡ le Freynsche, messorum, Robertum Boucher ‡ de Westdeone, Aliciam ‡ la Deye, messorum, Elenam ‡ Wylles, messorum, et Streche atte Forde de eodem hundredo de Alwardby, Iohannem Chesman, taylor, Iohannem le Smith de Deuses et Nicholaum le Smith de Nywebury, de comitatu in comitatum quousque secundum legem et consuetudinem regni nostri Anglie vtagentur si non comparuerint. Et si comparuerint tunc eos capias et saluo custodiri facias ita quod habeas corpora eorum coram dilectis et fidelibus nostris Willelmo de Schareshulle et sociis suis iusticiariis nostris ad omnes excessus in comitatu tuo factos audiendos et terminandos assignatis apud Nouum Sarum die

¹ I print extracts from the roll for Wilts. as completing the process already given in the three preceding Wilts. rolls.

² The ‡ indicates that *sr*, meaning "supersedeas," is written over the name in the original.

Martis proximo post festum Sancti Iohannis ante Portam Latinam ad respondendum nobis de diuersis excessibus vnde indictati sunt. Et habeas ibidem inde responsum tuum et hoc breve.

Teste I. de Roches, apud Deuises, vi^{to} die Nouembris, anno regni nostri Anglie vicesimo octauo, regni vero nostri Francie quinto decimo.

(On the dorse of above writ) :

Ego Iohannes Euerard vicecomes exigi feci Walterum atte Bergh, braciatores hundredi de Calne et omnes alios in isto breui nominatos quousque quidam eorum venerunt et tulerunt brevia domini Regis de supersedeas, quidam vtlagati fuerunt et quidam Iohannes le Smyth de Deuises venit et reddidit se prisone domini Regis prout in recordo et processu inde habitis huic breui annexatis plenius continetur; que quidem breuia de supersedendo sunt huic breui consuta. Et corpus predicti Iohannis le Smyth habeo coram vobis ad diem et locum infra-scriptos prout in isto breui michi precipitur.

Ad comitatum tentum apud Wilton die Martis proximo post festum Sancti Martini episcopi primo exacti sunt.

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, vicecomiti Wiltes', salutem. Cum nuper tibi preceperimus per breue nostrum quod exigi faceres Walterum atte Bergh, braciatores hundredi de Calne, Ricardum Barleger, braciatores et Cristiniam, vxorem Willelmi Thomelyn, braciatrix de eodem hundredo, de comitatu in comitatum quousque secundum legem et consuetudinem regni nostri Anglie vtlagentur, si non comparuissent. Et si comparuissent, tunc eos caperes et saluo custodiri faceres, ita quod haberes corpora eorum coram dilectis et fidelibus nostris Willelmo de Schares-hull et sociis suis iusticiariis nostris ad omnes excessus in comitatu tuo factos audiendos et terminandos assignatis apud Nouum Sarum die Martis proximo post festum Sancti Iohannis ante Portam Latinam ad respondendum nobis de diuersis excessibus vnde indictati sunt: ac postmodum predicti Walterus, Ricardus et Cristinia venerunt coram prefatis iusticiariis et

satisfecerunt nobis pro excessibus predictis. Ideo tibi precipimus quod de eisdem Waltero, Ricardo et Cristina vltcrius exigendo, capiendo, vtlagando, seu quouismodo molestando occasione predicta supersedeas omnino.

Teste G. de Berewyk, apud Nouum Sarum, xxv^{to} die Nouembris, anno regni nostri Anglie vicesimo octauo, regni vero nostri Francie quinto decimo.

(There follow similar writs of *supersedeas* for William Muleward, Cristina Dorsete, John Coe, Edith Muleward, Ralph Lollow, Isabella Laurentz, Christina le Freynsche, Robert Boucher and Ellen Wylles, dated at New Sarum, 24 Feb., 29th year, and for William the carpenter of Immere, and Alice la Deye, dated at New Sarum, 4 March, 29th year.)

Wiltes' Comitatus tentus apud Wilton, die Martis proximo post festum Sancti Martini, anno regni Regis Edwardi tercii post conquestum vicesimo octauo.

Ad hunc comitatum dominus Rex mandauit hic breue suum in hec verba. Edwardus, Dei gracia etc. (the above writ of exigend is quoted in full); virtute cuius breuis predictus Walterus atte Berwe, braciator hundredi de Calne et omnes alii supradicti ad hunc diem primo exacti fuerunt. Et non comparuerunt. Ideo secundo exigantur ad proximum comitatum.

Comitatus tentus apud Wilton, die Martis proximo post festum Sancte Lucie virginis, anno supradicto [anno vicesimo octauo].

Ad hunc comitatum Walterus atte Berwe, braciator hundredi de Calne et omnes alii superius nominati secundo exacti fuerunt per breue domini Regis ad respondendum domino Regi de diuersis excessibus vnde indictati sunt. Et non comparuerunt. Ideo tercio exigantur ad proximum comitatum.

Comitatus tentus apud Wilton, die Martis in festo Sancti Hillarii, anno supradicto.

Ad hunc comitatum Walterus atte Berwe, braciator hundredi de Calne et omnes alii superius nominati tercio exacti

fuerunt per breue domini Regis ad respondendum domino Regi de diuersis excessibus vnde indictati sunt. Et non comparuerunt. Ideo quarto exigantur ad proximum comitatum.

Comitatus tentus apud Wilton, die Martis in festo Sancte Scolastice virginis, anno vicesimo nono.

Ad hunc comitatum Walterus atte Berwe, braciator hundredi de Calne et omnes alii superius nominati quarto exacti fuerunt per breue domini Regis ad respondendum domino Regi de diuersis excessibus vnde indictati sunt et non comparuerunt. Sed quidam Iohannes Broun venit et manucepit eos de habendo ipsos ad proximum comitatum.

Comitatus tentus apud Wilton, die Martis proximo ante festum Sancti Gregorii Pape, anno xxix^o supradicto.

Ad hunc comitatum Walterus atte Berwe, braciator hundredi de Calne et omnes alii superius nominati quinto exacti fuerunt per breue domini Regis ad respondendum domino Regi de diuersis excessibus vnde indictati sunt. Et ipsi omnes preter Cristinam Tabours de Shawe, Margeriam Sille de Wilcote, vitellarias, Willelmum Dounyng de Escote, carpentarium, Margaretam Magotes, Willelmum Ioye, triturarium, Iulianam le Batiere, Rogerum Waleys, Thomam le Taillour, Ricardum le Webbe de Westdeone, Streche atte Forde, Iohannem Chesman, tailour, Iohannem le Smyth de Deuises et Nicholaum le Smyth de Nywebury, venerunt et tulerunt breuia domini Regis de supersedendo; virtute quorum breuium Iohannes Euerard, vicecomes, de ipsis vltcrius exigendo, vtlagando seu capiendo occasione premissa omnino supersedit. Et predictus Iohannes le Smyth venit et reddit se prisone domini Regis et predicti Cristina Tabours, Margeria Sille, Willelmus Dounyng, Margareta Magotes, Willelmus Ioye, Iuliana le Batiere, Rogerus Waleys, Thomas le Taillour, Ricardus le Webbe, Streche atte Forde, Iohannes Chesman et Nicholaus le Smyth non comparuerunt. Ideo secundum legem et consuetudinem regni Anglie vtlagati et weyfiati in presencia Roberti de Echelhampton et Roberti de Remmesbury coronatorum domini Regis.

For an excellent example of a pardon for outlawry of an offender convicted before the justices of labourers in Wilts., *cf.* Pat., 27, pt. 2, m. 14; *Cal.*, ix, 485.¹ For an example of a certificate of the process of outlawry sent into chancery by the justices and always mentioned in the pardon, *cf.* County Placita, York, W. R., no. 61.

The roll described in *List of Plea Rolls* under "Coroners' Rolls" as Rotulus Coronatoris, Wilts., 198, 7 membranes, proves to be a roll of exigends of a long list of offenders convicted before the justices of labourers during the years 28-31 Edw. III. It includes the same full details of process as does the roll just quoted, but gives very many more names of offenders. Likewise, Coroners' Rolls, Suffolk, 175, 28-31 Edw. III, 12 membranes, and 176, 29 Edw. III, 7 membranes, each described as Rotulus Coronatoris, prove to be rolls of exigends; they include instances of offenders against the statutes of labourers convicted before the justices of labourers as well as in the upper courts.²

2. *Records illustrating the supervision of the justices in session.*
(*Cf.* pt. 1, ch. ii, 7.)

INTRODUCTORY NOTE.

Assize Rolls.

These have already been referred to as catalogued in *List of Plea Rolls*, in some cases with inadequate description of their character. My examination of the series was with the specific purpose of identifying sessional records, and therefore included only a cursory glance at rolls that were plainly rolls of oyer and terminer; but even this slight investigation showed several instances where the justices were under indictment for misdeeds in session, and there are probably more such instances.

Chancery as a Court of Law.

The latter half of the fourteenth century is the period dur-

¹ *Cf.* also app., F, 2.

² Pt. ii, ch. ii, s. 1, and app., F, 2.

ing which the process of separation of the jurisdiction of the chancellor from that of the council began,—a process that was not completed until the next century. Cf. Palgrave, *The King's Council*; Spence, *Equitable Jurisdiction of Chancery*, especially v. i, pt. 2, bk. 1, chs. 2, 3 and 4; and Baildon, *Select Cases from Chancery*, especially introduction, xvi *et seq.*, xxix-xxx, and xlv. See also Mr. Baldwin's article on the council in *Trans. Royal Hist. Soc.*, xix, 47-54, for an account of the judicial side of the council at a little earlier date.

The case recorded by Burton, in *Chron. de Melsa* (see pt. i, ch. ii, s. 7), is an excellent example of the difficulty during this transition period of making clear-cut distinctions between the jurisdiction of the king, the king's council, and the chancellor; undoubtedly further study will show similar cases.

Judicial proceedings on the equity side are usually said to have been formally recorded only from the reign of Richard II; cf. Baildon, *op. cit.*, and *List of Early Chancery Proceedings*, v. i, *Lists and Indexes*, no. xii.

The series known as County Placita are classified by Scargill-Bird, *op. cit.*, under "Chancery, common law side"—a classification which according to Mr. Pike ("Common Law and Conscience" in *Law Quarterly Review*, i) is not always correct. He analyzes one of the documents in the series to show that it comes under the head of equity, not common law, and quotes it as proof of his contention that at this date there is no broadly marked distinction between the two types of judicial functions.

The County Placita include transcripts of proceedings brought into chancery by writ of *certiorari* and often sent hence by a *mittimus* into other courts. A manuscript catalogue gives county, regnal year, and a brief summary of contents. For this decade there are three rolls of transcripts of proceedings before the justices of labourers, one of which seems to be merely a part of the regular outlawry process.

King's Bench.

Coram Rege Rolls. *Cf.* pt. ii, ch. ii, s. 1, for description.

A very slight search through these rolls showed several interesting proceedings before the justices of labourers, and an exhaustive examination would undoubtedly discover more.

The series known as Ancient Indictments contains several instances where justices are indicted "coram Rege" for extortion in their sessions.

Extracts from Assize Rolls, Coram Rege Rolls and County Placita.

Assize Roll, Lancaster, 436, 28-29 Edw. III. (Annis Ducatus iii^{to} et v^{to}.) 16 membranes.

Indictamenta capta apud Preston coram eisdem (i. e. Thoma de Seton et sociis suis).

Placita querelarum et Coronae.

"Cokayn."

m. 1. Indictamenta capta coram T. de Seton et sociis suis iusticiariis domini ducis Lanc' apud Preston die Mercurii post festum Sancti Matthei apostoli anno ducatus quarto.

m. 2 d. Derbeshire. Secunda Inquisicio de eadem sessione.

(William de Chorley, clerk of the wapentake of Derby, is indicted for conspiracy.) Et dicunt quod cum Iohannes de Linlegh indictatus fuit coram Iohanne Hauerington et sociis suis iusticiariis de nouo statuto de excessu, predictus Willelmus de Chorlay, clericus iusticiariorum predictorum, ipsum Iohannem de indictamento predicto recusauit et vnum alium Iohannem de Legh per falsitatem ipsius Willelmi intrauit, die Martis proximo post festum Sancti Hilarii, anno xxvii^o.

Trans-
gressio.

- m. 10. Indictamenta capta apud Preston coram I. Cokayn et sociis suis iusticiariis domini ducis Lanc' die Lune proximo ante festum Sancti Laurencii, anno ducatus Lanc' quinto.

Ammundernesse.

Item dicunt quod [cum] quidam Iohannes de Lynlegh, seruiens, et indictatus coram iusticiariis seruientium et per processum exigatus fuit in comitatu, tunc Willelmus de Chorley, clericus predictorum iusticiariorum, rasuram fecit del Lyn in decepcione cuiusdam Iohannis del Legh; qui quidam Iohannes del Legh vtlagatus fuit in loco predicti Iohannis de Lynlegh causa decepcionis predicti Willelmi et predictae rasure del Lyn pro qua causa predictus Iohannes del Legh omnia bona sua amisit.

Assize Roll, Lincoln, 524. 26-27 Edw. III. 3 membranes.

Placita Coronae coram eisdem (i. e. de Skypwyth et sociis suis).

Praesentationes et Indictamenta.

(For the composite nature of the roll, see app., 195.)

- m. 3. Presentaciones facte¹ apud Ludam coram Willelmo de Skypwyth et sociis suis iusticiariis domini Regis ad diuersos felonias, transgressiones, oppressiones, extorsiones, dampna, grauamina, contemptus et excessus in comitatu Lincoln' facta, audienda et terminanda assignatis die Lune proximo post festum Sancte Trinitatis, anno regni vicesimo septimo

Iurati diuersorum wapentaciorum presentant quod Hugo Cressy, constabularius castri Lincoln', cepit per extorsionem et colorem officii sui decem et nouem libras argenti pro feodo suo de Roberto atte Beck et multis aliis indictatis coram Gilberto de Umframauill, comite de Ane-

¹ MS. factos.

gos et sociis suis iusticiariis domini Regis etc. assignatis et custodibus pacis de excessibus contra formam statuti de operariis inde editi,¹ pro quo excessu idem Robertus et multi alii de comitatu predicto finem fecerunt coram prefato comite et sociis suis iusticiariis domini Regis apud Lincoln' anno regni domini Regis nunc Anglie vicesimo quarto, et sic idem Hugo cepit anno vicesimo quarto predicto summam predictam in depauperacionem populi domini Regis.

Per quod preceptum est vicecomiti quod venire faciat predictum Hugonem apud Ludam coram Willelmo de Skypwyth et sociis suis iusticiariis etc., die Mercurii proximo ante festum Corporis Christi, ad respondendum etc.

Ad quem diem apud Ludam coram prefatis Willelmo de Skypwyth et sociis suis iusticiariis etc. venit predictus Hugo in propria persona sua et quesitum est per prefatos iusticiarios a prefato Hugone qualiter se velit de premissis super ipsum presentatis acquietare. Dicit quod ipse alias die Mercurii proximo post Clausum Pasche anno regni Regis nunc Anglie vicesimo sexto, coram Willelmo de Skypwyth et Iohanne de Moubray iusticiariis domini Regis etc. apud Lincoln' extitit indictatus de eo quod ipse cepit colore officii sui viginti libras sterlingorum pro feodo suo de operatoribus et artificibus qui coram predicto comite et sociis suis iusticiariis etc. de diuersis excessibus indictati fuerunt et occasionibus illis finem cum domino Rege fecerunt; pro quibus quidem viginti libris ipse coram prefato Willelmo de Skypwyth et Iohanne de Moubray die et anno predictis finem

¹There is some difficulty about Umframvill's appointment. In the commission for labourers of 12 Nov., 1350 for Lindsey (*cf.* pt. I, ch. i, s. 1.) he is referred to as keeper of the peace for the district, but his name does not appear in the commission of the peace of 10 Feb. of that year (*Cal. Fat. Rolls*, viii, 516) although a few days later (*ibid.*, 527, and app., 33) he was appointed on the joint commission for Holland and Kesteven.

fecit cum domino Rege prout patet per rotulos predictorum Willelmi de Skypwyth et Iohannis de Moubray; qui quidem rotuli affilantur inter rotulos predictorum Willelmi et Iohannis de deliberacionibus gaule Regis castri Lincoln' etc. Et dicit quod predictae decem et novem libre unde ipse modo indictatus est fuerunt parcella de predictis viginti libris; et quod postquam per consilium domini Regis ordinatum fuit quod nullus minister, iusticiarius nec alius officarius feoda aliqua de operariis et seruientibus caperet,¹ ipse colore officii sui nullos denarios cepit, nec postquam ipse fecit finem cum domino Rege occasione predicta per extorsionem prout per presentacionem predictam supponitur, et hoc paratus est verificare etc.

Ideo fiat inde iurata. Iurati super premissis electi,
 Ideo ipse eat inde sine die etc.

County Placita, Bedford, no. 9.

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, dilecto sibi Iohanni Mareschal, salutem. Quia quibusdam certis de causis cerciorari volumus super tenore recordi et processus loquele que fuit coram vobis et sociis vestris iusticiariis ad omnia et singula que contra formam ordinacionis et statuti de operatoribus, artificibus et seruientibus attemptata fuerint in comitatu Bed' audienda et terminanda assignatis sine breui nostro inter Rogerum Atte Welle de Couteshale et Iohannem de Sekford, seniore, de quadam transgressione eidem Rogero per prefatum Iohannem illata, vt dicitur, et super tenore recordi et processus loquele que fuit coram vobis et sociis vestris predictis sine breui nostro inter Thomam Atte Welle de Couteshale et prefatum Iohannem de quadam transgressione eidem Thome per prefatum Iohannem illata, vt dicitur, ac eciam super tenore recordi et processus loquele que fuit

¹ Cf. app., 16.

coram vobis et sociis vestris predictis sine breui nostro inter Stephanum Atte Welle de Couteshale et prefatum Iohannem de quadam transgressione eidem Stephano per prefatum Iohannem illata, vt dicitur, et similiter super tenore recordi et processus loquele que fuit coram vobis et sociis vestris predictis sine breui nostro inter Galfridum Atte Welle de Couteshale et predictum Iohannem de quadam transgressione eidem Galfrido per prefatum Iohannem illata, vt dicitur, necnon super tenore recordi et processus loquele que fuit coram vobis et sociis vestris predictis sine breui nostro inter Iohannem Atte Welle de Couteshale et prefatum Iohannem Sekford de quadam transgressione eidem Iohanni Atte Welle per predictum Iohannem de Sekford illata, vt dicitur, vobis mandamus quod tenores recordorum et processuum predictorum nobis in cancellaria nostra sub sigillo vestro distincte et aperte sine dilacione mittatis et hoc breue.

Teste me ipso, apud Westmonasterium, quinto die Nouembris, anno regni nostri Anglie tricesimo secundo, regni vero nostri Francie decimo nono.

(Endorsed.)

Per Daud de Woll ad instanciam Iohannis de Herlyng.

Virtute istius breuis tenorem recordorum et processuum infranominatorum in quadam sedula huic consuta coram vobis mittimus.

Bed' Placita coram Iohanne Mareschal et Iohanne de Rokesdon iusticiariis domini Regis super statutum de seruientibus, operariis et artificibus in comitatu Bed' assignatis apud Pullokeshull, die Veneris proximo post festum Assumpcionis beate Marie, anno regni . . . tricesimo secundo.

Bed' Iohannes de Sekford, senior, attachiatus fuit ad respondendum Rogero atte Well de Couteshale de eo quod cum idem Rogerus conuenit cum Simone Challeve de

Cadyngdon in comitatu Bedeford' ad seruiendum eidem Simoni apud Cadyngdon ad metenda blada sua et prata sua falcanda ac alia necessaria eidem facienda a festo Sancte Margarete virginis, anno regni Regis Edwardi tercii post conquestum tricesimo secundo, vsque festum Sancti Michaelis tunc proxime sequens, capiendo de predicto Simone decem solidos et mensam, et predictus Iohannes de Sekford venit et eum cepit et abduxit vsque ad manerium de Sharpenho et eum ibidem diu detinuit per quod predicto Simoni seruire non potuit prout illi conuenit, contra formam statuti de seruientibus editi, vnde deterioratus est et dampnum habet ad valenciam, viginti solidorum et inde producit sectam.

Et predictus Iohannes dicit quod predictus Rogerus responderi non debet quia dicit quod idem Rogerus est natiuus suus ut de manerio suo de Couteshale et ipse et antecessores sui a tempore quo non extat memoria de predicto Rogero et antecessoribus suis semper seisisi fuerunt ad talliandum ad altum et bassum [et] faciendum prepositum etc.

Et predictus Rogerus inde examinatus non potuit hoc dedicere, immo expresse cognouit; ideo consideratum est quod predictus Rogerus nichil capiat per billam suam set sit in misericordia.

Bed' Iohannes de Sekford, senior, attachiatus fuit ad respondendum Thome atte Well de Couteshale de eo quod cum idem Thomas conuenit cum Simone Power de Stretlee in comitatu Bed' ad seruiendum eidem Simoni apud Stretlee in officio carectarii a festo Annunciacionis beate Marie anno regni Regis Edwardi tercii post conquestum tricesimo secundo vsque festum Sancti Michaelis tunc proxime sequens, capiendo de predicto Simone ad duodecim septimanas vnum quarterium bladi et sex solidos argenti pro labore suo, et venit predictus Iohannes de Sekford et eum cepit et abduxit. . . . (The remainder is identical with the first entry, mutatis mutandis.)

Bed' Iohannes de Sekford, senior, attachiatus fuit ad respondendum Stephano atte Well de Couteshale de eo quod cum idem Stephanus conuenit cum Willelmo Whytyng de Luton in comitatu Bed' ad seruendum eidem Willelmo apud Luton a festo Sancti Petri Aduincula anno regni Regis Edwardi tercii post conquestum tricesimo secundo vsque ad festum Sancti Michaelis tunc proxime sequens ad metendum blada sua ac alia necessaria eidem facienda, capiendo de predicto Willelmo octo solidos et mensam, ac venit predictus Iohannes de Sekford et eum cepit et abduxit vsque ad manerium de Sharpenho et eum ibidem diu detinuit, per quod predicto Willelmo seruire non potuit prout illi conuenit neque stipendium suum capere, contra formam statuti de seruientibus editi, vnde deterioratus est et dampnum habet ad valenciam xx s. et inde producit sectam. . . . (The remainder is identical with the first entry, mutatis mutandis.)

Bed' Iohannes de Sekford, senior, attachiatus fuit ad respondendum Galfrido atte Welle de Couteshale de eo quod cum idem Galfridus conuenit cum Iohanne atte Park de Luton in comitatu Bed' ad seruendum eidem Iohanni in officio carucarii apud Luton a festo Annunciationis beate Marie anno regni Regis Edwardi tercii post conquestum tricesimo secundo vsque ad festum Sancti Michaelis tunc proxime sequens, capiendo de predicto Iohanne in duodecim septimanis vnum quarterium bladi et sex solidos et octo denarios pro stipendio suo et venit predictus Iohannes de Sekford et eum cepit et abduxit. . . . (The remainder is identical with the first entry, mutatis mutandis.)

Bed' Iohannes de Sekford, senior, attachiatus fuit ad respondendum Iohanni atte Welle de Couteshale de eo quod cum idem Iohannes atte Welle conuenit cum Iohanne Draper de Sancto Albano ad deseruendum eidem

Iohanni Draper in artificio mercatoris a festo Annunciationis beate Marie anno regni Regis Edwardi tercii post conquestum tricesimo secundo vsque festum Sancti Michaelis tunc proxime sequens, capiendo de predicto Iohanne Draper viginti solidos et mensam, et venit predictus Iohannes de Sekford et eum cepit et abduxit. . . .
(The remainder is identical with the first entry, mutatis mutandis.)

County Placita, Surrey, no. 8.

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, dilecto et fideli suo Thome de Brewes, salutem. Volentes certis de causis cerciorari super quadam cognicione quam Willelmus atte Mere de Merwe nuper fecit coram vobis et sociis vestris nuper iusticiariis nostris ad ea que contra formam ordinacionis et statuti de operariis, artificibus et seruitoribus factorum attemptata fuerint in comitatu Surr' audienda et terminanda assignatis, de seruitute ipsius Willelmi, vobis mandamus quod scrutatis rotulis vestris et sociorum vestrorum predictorum de tempore predicto que sub custodia vestra existunt, vt dicitur, nos in cancellaria nostra de eo quod inde inueneritis sub sigillo vestro distincte et aperte certificetis indilate.

Teste me ipso apud Westmonasterium, xxvi die Nouembris, anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

Surr' Placita tenta apud Guldeford coram Thoma de Brewes, Reginaldo Forster, et Iohanne de Roulee die Martis proximo post octabas Sancte Trinitatis, anno regni Regis Edwardi tercii post conquestum xxiiii^{to}, virtute cuiusdam commissionis predictis Thome et aliis in commissione predicta nominatis ad inquirendum de omnibus et singulis que contra formam ordinacionis et statuti de operariis, artificibus et seruitoribus factorum

atemptata fuerunt in commissione predicta audienda et terminanda assignatis.

Wokyngg.

Willelmus atte Merre de Merwe attachiatus fuit ad respondendum Petro Semere de placito quare quod cum ordinatum sit quod quilibet homo et femina regni domini Regis Anglie, potens in corpore et infra etatem sexaginta annorum, non viuens de mercatura nec certum exercens artificium nec ¹ terram propriam circa cuius culturam se poterit occupare et alteri non seruicens, si deseruendo considerato statu suo in seruicio congruo fuerit requisitus, seruire teneatur illi qui illum sic duxerit requirandum et percipiat dum taxat vadia, liberationes, mercedas seu salaria que in locis vbi seruire debeant constituta sunt prestari anno domini Regis Anglie xx^o vel annis communibus quinque vel sex presentibus. Et vnde idem Petrus dicit quod ipse die Lune proximo post festum Purificacionis beate Marie anno supradicto vicesimo quarto apud Merwe in presencia Iohannis atte Dene et Willelmi Hereward predicto Willelmo ² seruicium congruum deseruendo predicto Petro in villa de Merwe optulit, capiendo de predicto Petro prout in predicto statuto superius declaratum est, [et] predictus Willelmus deseruire predicto Petro in forma predicta omnino contradixit et adhuc contradicit in contemptum domini Regis et contra ordinacionem statuti predicti et ad dampnum predicti Peiri centum solidorum, et inde producit sectam etc.

Et predictus Willelmus defendit vim et iniuriam etc. et quicquid est in contemptu domini Regis et statuti etc., et dicit quod ipse non potest predicto Petro seruire quia dicit quod ipse est natiuus prioris et conuentus ecclesie beate Marie de Boxgraue de manerio suo de Merwe et

¹There should be a "habens" here; cf. the ordinance; app., 9.

²MS. predict Willelmum.

quod dictus prior ecclesie predictae qui nunc est, fuit seiscitus de eo ut de nativo suo et de serviciis suis natiuis ut de iure ecclesie sue predictae, et quod idem prior et omnes predecessores sui predictae ecclesie a tempore cuius contrarii memoria non existit, seisciti fuerunt de eo et de omnibus antecessoribus suis ut de natiuis suis ad talliandum eos ad altum et bassum et ad capiendum de eis redemptiones pro filiabus suis maritandis ut de iure ecclesie sue predictae de manerio suo predicto, et dicit quod predictus prior et conventus dimiserunt dictum manerium cum omnibus pertinenciis Iohanni Chene de Tortington habendum et tenendum ad terminum vite sue. Et quod predictus Iohannes Chene habet ipsum Willelmum in servicio suo necessarie in manerio predicto. Et petit iudicium si predicto Petro servire debeat etc. Et quia predicti iusticiarii dubitauerunt de cognicione dicti Willelmi optulerunt ei librum ad iurandum dicendi veritatem de factis predictis; qui sacramento prestito dixit et cognovit ut prius, per quod consideratum est quod predictus Petrus nichil capiet per querelam suam predictam, et quod predictus Willelmus seruiet predicto Iohanni Chene tanquam domino suo et super hoc liberatur Waltero de Wernham, balliuo dicti Iohannis Chene, ad seruiendum ei secundum statutum predictum et consuetudinem manerii predicti.

(Endorsed)

Recordum iusticiariorum de operariis pro Petro Semere.

A chancellor nostre seignur le Roy

par Thomas de Breouse.

Coram Rege Roll, no. 454.

Placita coram domino Rege apud Westmonasterium de termino Sancte Trinitatis anno regni Regis Edwardi tercii post conquestum Anglie quadragesimo octauo. I. Cauendissh.

Adhuc de termino Sancte Trinitatis. I. Cauendissh.
rot. 87.¹

Lincoln' Dominus Rex mandauit iusticiariis hic breue suum clausum in hec verba: Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, dilectis et fidelibus suis Iohanni de Cauendissh et Thome de Ingelby iusticiariis ad placita coram nobis tenenda assignatis, salutem. Recordum et processum coram iusticiariis nostris ad pacem nostram necnon ad statuta et ordinationes de operatoribus, seruientibus et artificibus in partibus de Holand in comitatu Lincoln' conseruanda assignatis habita de loquela que fuit coram eisdem iusticiariis inter Robertum de Meres de Soterton et Rogerum Roper de eo quod idem Rogerus prefato Roberto deseruire iuxta formam statutorum et ordinationum inde editorum recusauit que coram nobis in cancellaria nostra venire fecimus, vobis mittimus sub pede sigilli nostri, mandantes quod hiis inspectis vltcrius inde fieri faciatis quod de iure et secundum legem et consuetudinem regni nostri Anglie fuerit faciendum.

Teste me ipso, apud Westmonasterium, xx die Iunii, anno regni nostri Anglie quadragesimo octauo, regni vero nostri Francie tricesimo quinto.

Breue domini Regis prefatis iusticiariis ad pacem conseruandam inde directum sequitur in hec verba:

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, iusticiariis suis ad pacem nostram necnon ad statuta et ordinationes de operatoribus, seruientibus et artificibus in partibus de Holand in comitatu Lincoln' conseruanda assignatis vel eorum alicui, salutem. Volentes certis de causis cerciorari

¹ It is possible that this record refers to case 39, list in app., F, 3; unfortunately a search through several succeeding rolls has failed to reveal the conclusion of the process.

super recordo et processu coram vobis habitis de loquela que fuit coram vobis inter Robertum de Meres de Soterton et Rogerum Roper de eo quod idem Rogerus prefato Roberto deseruire iuxta formam statutorum et ordinacionum inde editorum recusauit, vobis mandamus quod recordum et processum predicta cum omnibus ea tangentibus nobis in cancellaria nostra sub sigillis vestris vel alicuius vestrum distincte et aperte sine dilacione mittatis et hoc breue, vt vltorius inde fieri faciamus quod de iure et secundum legem et consuetudinem regni nostri Anglie fuerit faciendum. Ac vicecomiti nostro comitatus predicti detis in mandatis quod capcioni corpus predicti Rogeri occasione premissa faciende supersedeat et si ipse ex hac causa captus existat tunc ipsum a priona qua sic detinetur deliberet indilate.

Teste me ipso, apud Westmonasterium, viii die Iunii, anno regni nostri Anglie quadragesimo octauo, regni vero nostri Francie tricesimo quinto.

Recordum et processus de quibus in breuibz predictis fit mencio sequuntur in hec verba:

Placita domini Regis tenta apud Sanctum Botolphum coram Willelmo de Spaigne, Rogero Top, Thoma de Pynchebek et Ricardo de Launde iusticiariis domini Regis pacis necnon ad statuta et ordinaciones de operatoribus, seruientibus et artificibus in partibus de Holand in comitatu Lincoln' audienda et terminanda assignatis, die Mercurii proximo post festum Sancte Trinitatis, anno regni Regis Edwardi tercii post conquestum quadragesimo octauo.

Lincoln' Robertus de Meres de Soterton qui sequitur tam pro domino Rege quam pro se ipso queritur de Rogero Roper de Soterton de eo quod cum idem Rogerus vacuus fuit et nulli seruiens nisi per dietas idem Robertus die dominica in octabis Pasche anno regni Regis Edwardi tercii xlviii^o apud Soterton re-

quisiuit dictum Rogerum dum vacuus fuit ad seruendum sibi in villa de Soterton in officio carucarii et aliis seruiciis, videlicet a predicto die per annum integrum proxime sequentem, idem Rogerus seruire eidem Roberto penitus contradixit et recusauit contra statutum et ordinationem de operatoribus editos in contemptum domini Regis et dampnum ipsius Roberti xl li., plegii de proseguendo, Iohannes Batson et Robertus, filius Rogeri.

Per quod preceptum est vicecomiti quod attachiat predictum Rogerum ita quod habeat corpus eius coram prefatis iusticiariis apud Sanctum Botulfum die Veneris proximo post festum Sancte Trinitatis tunc proxime sequens ad respondendum tam domino Regi quam prefato Roberto de placito predicto.

Placita Regis tenta apud Sanctum Botulphum coram prefatis Willelmo de Spaigne et Ricardo de Launde iusticiariis, die Veneris proximo post festum Sancte Trinitatis, anno regni Regis Edwardi tercii xlviii^o.

Preceptum fuit vicecomiti quod attacheret Rogerum Roper de Soterton ita quod haberet corpus eius coram prefatis iusticiariis etc. ad hunc diem etc. ad respondendum tam domino Regi quam Roberto de Meres de Soterton de placito contemptus et transgressionis contra statutum etc. Et ipse non venit. Et vicecomes retornauit quod mandavit balliuo libertatis comitis Richemundie in wappentachio de Kirketon cui executio precepti Regis restat facienda qui sic respondit quod predictus Rogerus Roper non est inuentus in balliua sua. Ideo preceptum est vicecomiti quod capiat eum si etc. et saluo etc., ita quod habeat corpus eius coram prefatis iusticiariis etc. apud Sanctum Botulfum die Mercurii proximo ante festum Sancte Margarete virginis proxime sequens ad respondendum tam domino Regi quam prefato Roberti de Meres

de placito contemptus et transgressionis contra statutum etc. Postea, scilicet quinto die Iulii isto eodem termino, venit predictus Rogerus Roper et reddidit se etc. occasione predicta. Et super hoc venerunt Ricardus de Pereres, Iohannes de Wabham, Iohannes de Sledmer de Beuerle et Robertus Ragemill et manuceperunt habendi corpus predicti Rogeri coram domino Rege a die Sancti Michaelis in xv dies vbicunque etc. Ideo preceptum est vicecomiti quod per probos etc. scire faciat predicto Roberto de Meres quod sit coram domino Rege ad prefatum terminum ad sequendum si etc.

D. EXCHEQUER. (*Cf.* pt. I, ch. iii.)

INTRODUCTORY NOTE.

The greater part of the material dealing with the work of the exchequer is, of course, preserved in the exchequer; but there are some important documents connected with exchequer processes that appear among chancery enrollments. Examples of these are the writs for the payment of the justices' wages on the Close Rolls; commissions to collectors of the subsidy, occasionally on the Patent Rolls, regularly on the Fine Rolls; special commissions of investigation as to arrears of penalties or as to instances of peculation, and special grants disposing of the penalties, on the Patent Rolls. Many of these chancery enrollments are, however, duplicated in that branch of exchequer enrollments known as Originalia which for convenience I included under "Chancery;" *cf.* app., 19.

The main classes into which the exchequer material is divided are: the Memoranda Rolls, the Placita de Scaccario, Accounts, both original and enrolled, and the records of the exchequer of Receipt.

Memoranda Rolls of the two Remembrancers, the King's and the Lord Treasurer's.

The contents of these rolls have been described by Madox, in *Hist. of Exchequer*, by Scargill-Bird, *op. cit.*, and by Gross in his summaries, *op. cit.* For this decade there is nothing in print except a few summarized selections in Jones' *Index to the Originalia and the Memoranda*.

In my search through these two series of rolls from 23 Edw. III to 35 Edw. III, I made an attempt to note all references to the statutes of labourers; but the rolls are so voluminous and the amount of material on the statutes so great that my search cannot be called exhaustive.

The entries having to do with the statutes are of many kinds: commissions to the collectors of the subsidy, and additional instructions to them; innumerable writs of the great seal and

of the treasurer directed to the various officials concerned with the statutes, both as to the proper levying and final disposition of the penalties and as to the payment of the justices' salaries; statements as to the penalties in "states and views of accounts" both of sheriffs and of collectors; numerous actions brought by the exchequer against all these officials for failure to do their duty in regard to the penalties; and finally the claims of the lords of franchises. These latter are recorded in great detail and are important for many reasons, and more especially because they often include long schedules of accounts of the penalties imposed under the statutes, entered on separate membranes, and attached to the Memoranda Rolls.

It is essential to remember in using this material that according to the exchequer's method of computation of dates for Edward's reign Michaelmas term precedes Easter term; so that *e. g.*, Mich. 29th year on the Memoranda Rolls is really only Mich. 28th year.¹

Exchequer Proceedings subsidiary to the Memoranda Rolls.

Cf. Scargill-Bird, *op. cit.*, 213. This series has not been included in my search.

Placita de Scaccario.

The *List of Plea Rolls* includes merely a catalogue of these, classified by regnal year and law term. The roll for the 34th year is omitted from the printed list; by accident I found it misplaced among the Memoranda Rolls, K. R. It has now been transferred to its proper place, as 82a. My examination has covered only a few of these rolls; these few contained many important proceedings connected with the levying of the penalties under the statutes.

Accounts, original and enrolled.

A distinction between these two types of accounts, important for purposes of investigation, is that the

¹ *Cf.* Ramsay, "Expenditure of Edw. III" in *Antiquary*, i, 156.

former include specific details — the amount of the penalty imposed on an individual offender, often the exact nature of his offense, and the character of his occupation; while the latter include only the total sums for which a given official is responsible.

Original.

Fines and Amercements; Exchequer, K. R.

The manuscript list contains dates and brief summaries of the contents of each roll. A thorough examination revealed only a few of the accounts of the penalties under the statutes of labourers.

Sheriffs' Accounts.

The manuscript list gives only the regnal year; I did not examine this series at all.

Lay Subsidies; the original accounts of the collectors.

For a description of these *cf.* app., D, 4. A printed list is in progress of all the above.

To these must be added the schedules of accounts handed in at the exchequer by the lords of franchises, already referred to; *cf.* app., D, 6.

Enrolled.

Enrolled Subsidies.

For a description of these *cf.* app., D, 4.

"States and views of accounts" of both sheriffs and collectors, enrolled on Memoranda Rolls.

Pipe Rolls.

Until 42 Edw. III, these included Foreign accounts (*i. e.* those foreign to the jurisdiction of the sheriff except subsidy accounts), as well as those for which the sheriff was responsible; *cf.* Scargill-Bird, *op. cit.*, 4. They are exceedingly valuable both for total sums of penalties under the statutes and for amounts paid as salaries to

the justices; but they are so bulky and voluminous, with no guide to contents except as furnished by the regnal year and the county, that my search has included only a few.

Exchequer of Receipt.

Issue Rolls.

These have been examined but contain nothing important for my purpose.

Receipt Rolls.

Praestita Rolls.

Neither of the above has been examined.

It will appear from this account of the exchequer material that nearly all the sources utilized for ch. iii on the disposition of the penalties are included in this section of the appendix.

1. Extracts from Assize Rolls, Memoranda Rolls and Originalia Rolls.
2. Extracts from Lay Subsidies and Memoranda Rolls.
3. Extracts from Memoranda Rolls.
4. Accounts of collectors of the triennial of 1352.
A table of figures taken from Enrolled Subsidies.
Extracts from Accounts, K. R., Enrolled Subsidies and Lay Subsidies.
5. Extracts from Accounts, K. R., Close Rolls, Memoranda Rolls and Pipe Rolls.
6. Extracts from Accounts, K. R., Memoranda Rolls, Patent Rolls and Pipe Rolls.

1. *Extracts from Assize Rolls, Memoranda Rolls and Originalia Rolls.* (Cf. pt. I, ch. iii, I, A.)

Originalia, 23 Edw. III, m. 25.

De leuando quintamdecimam de seruientibus.

Rex taxatoribus et collectoribus decime et quintedecime nobis per laicos vltime concessarum in comitatu Cumb', salutem.

Cum nos nuper contra desidiam et maliciam seruientum, qui mortuis aliis aliis in ista pestilencia, videntes necessitatem dominorum, seruire noluerunt nisi stipendia reciperent excessiua, de consilio prelatorum, nobilium, aliorumque peritorum nobis assistencium, ordinauerimus quod seruientes huiusmodi tam femine quam viri seruire tenerentur et perciperent dumtaxat salaria et vadia que in locis vbi seruire deberent anno regni nostri Anglie vicesimo vel annis communibus quinque vel sex proxime precedentibus solita sunt prestari, et quod seruire recusantes incarceratione corporum punirentur, et plus soluentes vel promittentes duplum illius quod sic soluerint vel soluere promiserint illi qui se grauatum senserit, et nullo tali volente prosequi, tunc cuicumque de populo hoc prosequenti soluere cogerentur, quodque dicti artifices et operarii quicumque pro laboribus et artificiis suis non caperent vltra id quod anno vicesimo et aliis annis predictis, in locis quibus eos operari contingeret, talibus solui consuevit prout in ordinacione predicta plenius continetur. Iamque ex populari conquestione, acceperimus quod ipsi propter huiusmodi excessiua stipendia, liberationes et precia que seruitoribus, operatoribus et artificibus soluere sunt coacti, taliter deprimuntur quod decimam et quintamdecimam ipsos contingentes, nobis soluere nequeunt nisi aliud eis apponatur remedium oportunum.

Nos attendentes quod huiusmodi artifices, seruitores et artifices nos et ordinatores nobiscum ipsamque ordinacionem nostram publice deridentes, stipendia, liberationes et precia excessiua, sic in ipsa pestilencia et post eam inducta et quandoque ampliora, non obstante ordinacione predicta, exigunt, quasi extorquendo et percipiunt, nec sit aliquis qui contra tales prosequatur, ad dictum sic ordinatum commodum optinendum, et quod equitati consonat, vt quod vsibus singularibus sic ordinatum fuerit applicandum ipsis prosequi nolentibus in publicum commodum conuertatur, et ne dicta ordinacio cum maturitate consilii nostri pro vtilitate communi facta derisoria videatur, ex deliberacione dicti consilii nostri, adiciendo duximus ordinandum quod omnes et singuli operarii, seruitores et artifices tam femine quam viri

cuiuscumque videlicet status aut condicionis fuerint, plus pro laboribus, seruiciis et artificiis suis, quam anno vicesimo et aliis annis supradictis soliti sunt percipere, capientes, ad totam illam summam quam vltra receperint cum aliis laicis, tam pro tempore preterito, quo sic stipendia, salaria, liberationes et precia augmentata fuerint, quam pro tempore iam futuro assideantur, totaque ipsa summa sic vltra recepta a singulis eorundem leuetur et colligatur ad opus nostrum, in alleuicionem singularum villarum vnde dicti artifices, seruitores et operarii fuerint in auxiliumolucionis summarum ad quas eedem ville seu homines earum ad decimam et quintamdecimam iam currentes sunt assessi; ita semper quod finitis decima et quintadecima iam currentibus, tota illa pecunia, precia et liberationes siue valor liberationum earundem, que vltra vt premittitur extunc pecierint et receperint, ab eis et eorum singulis ad opus nostrum in subuencionem supportacionis onerum regni nostri per illos quos ad hoc in comitatu predicto duxerimus assignandos leuentur et colligantur, et quod illi qui forsitan propter hoc renuent deseruire vel summas per ipsos sic vltra perceptas, et super eos assessas soluere vel artificia sua et opera excercere statim per vos vel aliquem vestrum seu alios per vos vel aliquem vestrum in singulis villis ad premissa exequenda deputandos vel per balliuos locorum seu constabularios villarum cum de hoc constiterit, arestentur et carceri committantur in eodem detinendi quousque ad seruiendum securitatem prestiterint et soluerint, quod sic vltra perceperint iuxta ordinationes easdem vel donec aliud inde duxerimus demandandum.

Intencionis tamen nostre existit quod secundum dictam primam ordinationem liceat cuilibet contra excedentes eandem, vel ei non parentes prosequi et applicare suo vsui, quod per ipsam conceditur prosequenti. Et ideo vobis committimus et mandamus quod dictos operarios, seruitores et artifices vniuersos in comitatu predicto, tam infra libertates quam extra, ad summas quas vltra receperint vt premittitur per vos seu deputatos vestros assideatis seu assideri faciatis et eas ab eis ad opus nostrum leuetis et colligatis in forma predicta et alia premissa ordinata

faciatis et exequamini, prout superius est expressum, inquisita super premissis quociens et quando opus fuerit per sacramentum proborum et legalium hominum de comitatu predicto, tam infra libertates quam extra, plenius veritate. Et hoc nullatenus omittatis sub periculo quod incumbit. Mandauimus autem vicecomiti nostro comitatus predicti quod arestatos huiusmodi a vobis et vestrum quolibet et deputatis predictis recipiat in carcere detinendos, quousque paruerint, et fecerint cum effectui iuxta ordinationes predictas, vobisque et vestrum cuilibet ac deputandis vestris predictis circa premissa facienda et exequenda quociens opus fuerit vel ei inde scire feceritis ex parte nostra pareat et intendat; et vt ordinationes predictae pateant vniuersis, eas, prout in mandato nostro sibi directo continentur, in ciuitatibus, burgis et villis mercatoriis et aliis locis in balliua sua vbi expedire viderit infra libertates et extra publice proclamari faciat, et quantum ad ipsum attinet obseruari.

Teste Rege apud Westmonasterium, xxi die Nouembris.

Consimilia breuia diriguntur collectoribus dictarum decime et quintedecime in singulis comitatibus Anglie, sub eadem data.

Originalia, 24 Edw. III, m. 4.

Essex' De stipendiis operariorum leuandis.

(To the assessors and collectors of the tenth and fifteenth; substantially the same as the above but condensed (prout in literis nostris predictis plenius continetur) continues): Ac iam intellexerimus quod quamplures operariorum, seruientum et artificum predictorum huiusmodi pecunie summas vltra stipendia et salaria consueta receptas, pro maiore parte iam expenderunt et consumpserunt, ita quod ad solutionem illarum pecunie summarum per ipsos sic vltra receptarum, sufficere non poterunt, et si in prisa detinerentur magis depauperarentur et homines comitatus illius seruiciis et laboribus eorundem operariorum, seruitorum et artificum frustrarentur. Nos aduertentes paucitatem operariorum, seruitorum et artificum huiusmodi in comitatu predicto, et quod homines de eodem comitatu seruiciis et laboribus eorundem commodo carere non

possunt, ac proinde volentes remedium congruum poni in hac parte, vobis mandamus quod receptis a seruitoribus, operariis et artificibus qui sufficientes et potentes fuerint pecuniarum summis per ipsos vltra stipendia et salaria consueta vt premititur receptis, reliquos seruitores, operarios seu artifices qui ad solucionem integre summe per ipsos sic vltra recepte patenter sunt impotentes, ad illud dumtaxat quod soluere poterunt, per incarcerationem corporum suorum, et aliis viis et modis quibus poteritis, compellatis, capta ab eis sufficiente securitate de seruiendo exnunc pro stipendiis et salariis dictis annis solui consuetis. Prouiso quod de tota pecunie summa vltra ratam decime et quintedecime predictarum remanente si que fuerint, solutis decima et quintadecima predictis nobis respondeatur, prout decet. Volumus eciam et vobis mandamus quod versus omnes et singulos iuratores quos per returna vicecomitis comitatus predicti coram vobis facta seu facienda inueneritis fuisse premunitos, et qui iuxta premunitionem huiusmodi coram vobis venire neglexerint vel negligunt, processus per amerciamenta et districciones necnon forisfacturas exituum cousque comparuerint vt sic venire cogantur fieri faciatis, prout in consimilibus casibus secundum legem et consuetudinem regni nostri fuerit faciendum, eadem amerciamenta et exitus in extractis vestris ad scaccarium nostrum mittenda, vt de leuacione eorundem ad opus nostrum ordinari valeat, inserentes vlteriusque ad executionem dicte ordinacionis nostre pro nostra et dicti populi nostri vtilitate procedentes iuxta vim et effectum literarum predictarum.

Teste Rege, apud Westmonasterium, viii die Marcii.

Somerset; De eodem; 28 May.

Middlesex; De eodem; 12 Nov.

Memoranda Roll, L. T. R., no. 120.

Adhuc Communia de termino Sancti Michaelis anno xxix Regis Edwardi tercii. Adhuc Presentationes, Attornatus, Dies dati et Respectus; rot. 12.

Surr' De die dato.

Memorandum quod Henricus de Bekwell, vnus iusticiariorum

operariorum in comitatu Surr' venit hic coram baronibus, xxviii^o die Nouembris hoc termino, et liberauit curie hic xiii rotulos de finibus, excessibus, exitibus et amerciamentis huiusmodi operariorum, qui rotuli sunt in custodia huius rememeratoris, et recordatur quod liberauit transscriptum eorundem rotulorum Thome de Weston, Nicholao atte Welle, Ade de Sancto Albano et Iohanni de Godestou nuper collectoribus tercii anni solucionis xv^e et x^e triennialium Regi a laicis anno xxii^o concessarum in comitatu predicto die Sabbati proximo post festum Natiuitatis Sancti Iohannis Baptiste anno xxv^{to}, per indenturam cuius alteram partem ostendit, videlicet pro denariis in transcripto illo contentis leuandis in exonerationem communitatis dicti comitatus. Super quo predicti Thomas de Weston et Iohannes de Godestou, presentes hic in curia super premissis allocuti, bene concedunt quod ipsi simul cum predictis Nicholao et Adam receperunt transcriptum predictum et quod distribuerunt magnam partem inde inter pauperes villatas dicti comitatus in allocationem, videlicet, solucionis dicti tercii anni solucionis xv^e et x^e predictarum dicto anno xxii^o concessarum, asserentes ipsi Thomas et Iohannes quod in absencia predicti Nicholai atte Welle et heredis et executoris predicti Ade in premissis computare non possunt petentesque proinde quod veniant etc.

Et viso statuto per quod Rex concessit huiusmodi fines etc. in auxilium communitatis regni etc., quod quidem statutum factum fuit in parlamento Regis apud Westmonasterium conuocato in octabis Purificacionis beate Marie Virginis, anno xxv^{to} et residet in custodia alterius rememoratoris, compertum est in eodem quod Rex inter cetera concessit quod vicecomites, constabularii, balliui et gaolarii, clerici iusticiariorum vel vicecomitum, nec alii ministri quicumque, nichil capiant ratione officiorum suorum de huiusmodi operariis pro feodis, sectis prisonum vel alio modo, et si quid inde ceperint modo predicto id liberent collectoribus xv^e et x^e in auxilium communitatis pro tempore quo eodem xv^e et x^e currunt tam pro tempore preterito quam futuro, concordatum est quod dicti collectores computent etc.

Ideo preceptum est vicecomiti Surr' quod distringat predictum Nicholaum atte Welle et Adam de Sancto Albano vel heredes et executores suos si ipsi mortui fuerint ac tenentes terrarum et tenementorum que fuerunt ipsorum Nicholai et Ade in feodo per terras etc.; ita etc. a die Sancti Hillarii in xv dies ad computandum, vna etc. Et idem dies datus est prefatis Thome et Iohanni ad computandum, vna etc.

Ad quem diem predicti Thomas de Weston et Iohannes de Godestou ac Nicholaus atte Welle veniunt. Et quoad predictum Adam de Sancto Albano vicecomes retornauit quod idem Adam obiit et quod Iohannes de Sancto Albano, filius et heres predicti Ade de Sancto Albano, vnus executorum testamenti predicti Ade ac tenens terrarum et tenementorum que fuerunt eiusdem Ade, et Radulfus Hert et Henricus atte Cauce de Croydon, coexecutores ipsius Iohannis de Sancto Albano testamenti predicti Ade, districti sunt et exitus etc.

Et predictus Radulfus Hert venit et tam ipse quam predicti Thomas de Weston, Iohannes de Godestou et Nicholaus atte Welle cognoscunt et concedunt se velle et debere computare tam pro se ipsis quam pro predictis Iohanne de Sancto Albano et Henrico atte Cauce in premissis et satisfacere Regi de arragio eiusdem compoti. Et super hoc prestiterunt sacramentum de fideliter computando. Postea predicti Thomas de Weston et Iohannes de Godestou computarunt tam pro se ipsis quam predictis Nicholao atte Welle in premissis; qui quidem compotus remanet in custodia ingrossatoris, particule vero dicti compoti remanent in custodia huius rememoratoris, per quem compotum nichil debetur.

Assize Roll, Sussex, 941. 26 Edw. III. 63 membranes.

Placita (de transgressionibus, etc.) coram J. de Molyns et sociis suis.

m. i. Presentaciones apud Estgrentede coram Iohanne de Molyns, Ricardo de Cresseuill et Iohanne Cleymond iusticiariis domini Regis ad quosdam contemptus, transgressiones, confederaciones, conspiraciones et alios ar-

ticulos in comitatu Sussex' vna cum . . . audiendos et terminandos assignatis die Mercurii proxima post festum conceptionis beate Marie Virginis anno regni . . . vicesimo sexto. Molyns.

- m. 8. Item dicunt quod Iohannes de Sutton, anno regni domini Regis nunc vicesimo tercio, quo anno extitit collector quintedecime domini Regis in comitatu Sussex' et habuit commissionem ad inquirendum de laborariis et salariis suis excessiuis et ad eadem¹ salaria ponenda in exoneracionem quintedecime villatarum in quibus illa salaria capta fuerunt, idem² Iohannes de Sutton per extorsionem cepit de Thoma de Preston, laborario, viginti sex solidos octo denarios pro quibus denariis idem Iohannes de Sutton liberauit in prisona domini Regis in castro de Lewes corpus predicti Thome custodiendum ibidem quousque plenarie satisfecerit de summa predicta; quam quidem summam³ idem Thomas postea soluit prefato Iohanni, qui eam retinuit ad opus suum proprium sine aliquo inde soluendo seu ponendo in auantagium quintedecime domini Regis, tenente Regina villatam de Preston in qua dicta summa leuata fuerat.

(m. 23 contains more presentments against de Sutton for extortion as collector; he pleads guilty and is fined.)

Assize Roll, Essex, 267. 25 Edw. III. 66 membranes.

Praesentationes apud Chelmsford.

(For evidence that these are "coram Rege" indictments, see app., F, 1.)

- m. 1. (No heading.)

Item dicunt quod Edmundus de Nortot cepit de villa de Fynchingfeld de laboratoribus et seruitoribus de

¹ MS. eandem.

² MS. eidem.

³ MS. summa.

anno Regis nunc xxiiii^o, x li. vnde dominus Rex nichil habuit.

m. 7. Item dicunt quod dictus Edmundus de Northhofts per consilium et assensum Iohannis Houel in omnibus sessionibus suis habuit mariscallum, videlicet Iohannem Northtofts, qui cepit de quolibet laborario iurato fere iiii d. (Item Thomas de Haueryng, clericus, i d. Item Iohannes Castel, crior, i d.) et inprisonauit omnes laborarios et seruitores qui noluerunt dictum feodum soluere quousque etc., ad annullacionem et pauperacionem hominum et feminarum hundredi et contra ordinaciones domini Regis inde factas.

m. 51. Essex. Magna Inquisicio.

m. 54 d.

Item ils presentent qe com Esmund de Northtuft vn des iustices sur laborers, le Iudy proscheyn apres la feste de Seynt Matheu lan du regne nostre Seignur le Roy qore est xxiiii, fuist asis en le Chaustel Daungre, et fist apeller deuant luy toutz les artificers et laborers de chescun ville del hundred Daungre, et Waulter Salkyn deuant le dit Esmund pour excès par fyn deuers le Roy puny; al ysser de mesme celuy Waulter a la porte du chastel auandict, Iohan de Bampton, seneschal et baillif du dit hundred, le dit Waulter arestut et enprisona et de luy prist v deners par extorsion encuntre la pees, et par mesme la cause et en mesme la manere de William Tracp v d. [etc.]¹ et de plusurs aultres artificers et laborers et seruantz a la mountaunce de c. souldz par voie de extorsion prist encuntre lestatut.

Assize Roll, Essex, 268. 25 Edw. III. 27 membranes.

Praesentationes Juratorum.

(For an account of the probable character of this

¹Ten others.

roll, see app., 169, and F, 1; the portions here quoted are probably "coram Rege" indictments.)

- m. 6. Magna Inquisicio.
Rugford.

Item presentant quod Edmundus Nortoft, collector quindecime comitatus Essex', cepit de villa de Sturmere xxxii s. ii d. de laboratoribus¹ eiusdem ville et nilominus lxxviii s. pro integra solucione quindecime predicte, et pro qualibet acquietancia vi d. anno Regis nunc xxv.

- m. 6 d.

Item presentant quod Edmundus Nortoft, collector quindecime Regis in comitatu Essex', cepit de villa de Wethersfeld xii s. de laborariis ville et nilominus integram summam quindecime ville anno xxv.

- m. 16. Hundredum de Dunmawe.

Trans- Item presentent qe Iohan Walter de Fifhyde fut iure
gressio. deuaunt Edmund de Nortoft et son compaignoun qe il laboreyt et prendreyt soloun la ordinaunce de nouele estatut, la ou il prist en lan nostre seignur le Roy qe ore est xxiiii en Aust vi d. manger et beyure de iour en iour par viii semaygnes encontre lestatut, et est rebel et ne wlt estre iustifise par le conestablis de la ville.

Cf. Mem. K. R., 26 Edw. III, Trin., Recorda, Essex. A long process against Thomas de Lacy, Edmund de Northtoft and John Waleys, collectors of the grant of the 22nd year, who had failed to account for

¹ MS. laboribus.

the third year of the payment; ¹ they were convicted, imprisoned, and fined.

2. *Extracts from Lay Subsidies and Memoranda Rolls.*

(Cf. pt. I, ch. iii, I, B, a.);

Memoranda Roll, L. T. R., no. 118.

Adhuc Communia de termino Sancti Michaelis anno xxvii Regis Edwardi tercii. Adhuc Recorda, rot. 20.

(Enrolled Mem. K. R., 26, Trin., Recorda, Anglia; and Orig., 26, m. 27, Anglia.)

Essex' Forma leuacionis et distribucionis finium et amercia-
mentororum operariorum.

Leo de Bradenham et socii sui collectores xv^e et x^e triennalium Regi a laicis anno xxv^{to} concessarum in comitatu Essex' exhibuerunt curie literas Regis patentes quas pecierunt irrotulari in hec verba: Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, dilectis et fidelibus suis Leoni de Bradenham et Iohanni de Depeden, salutem. Sciatis quod cum duces, comites, barones, milites et communitates comitatum regni nostri Anglie quintamdecimam, ac cives et burgenses ciuitatum et burgorum eiusdem regni decimam omnium bonorum suorum mobilium in presenti parlamento nostro apud Westmonasterium ad diem Veneris in festo Sancti Hillarii proxime preteritum conuocato, pro triennio tunc proxime futuro in auxilium expensarum quas pro expeditione guerrarum nostrarum et saluacione et defensione dicti regni facere nos oportet, concesserint eodem modo quo huiusmodi decime et quintedecime nobis vltimo concesse leuate fuerunt leuandas et nobis ad terminos Pasche et Sancti Michaelis quolibet anno dicti triennii per equales porciones soluendas, et nos habita consideracione quod quamplura ville et hameletta tam per pestilenciam quam ex aliis variis causis in multo depauperantur quam pluraque alia

¹ Undoubtedly, therefore, the same date as that of the offences referred to in the "coram Rege" indictments.

totaliter vastantur, ad requisicionem eiusdem communitatis de assensu prelatorum, ducum, comitum et baronum predictorum concesserimus eidem communitati omnes fines, redempciones, exitus, forisfactiones et amerciamenta omnium operariorum, seruientum et artificum que de eis vel causa eorum coram iusticiariis nostris ad inquirendum de huiusmodi operatoribus, seruientibus et artificibus iuxta formam statuti inde editi facta et adiudicata existunt de quibus nobis seu communitatibus ciuitatum, burgorum et villarum predictorum in subsidium decime et quintedecime nobis alias concessarum iuxta ordinacionem tunc inde factam non est responsum, et eciam que imposterum vsque ad finem vltimi termini solucionis decime et quintedecime predictarum fieri et adiudicari continget, in auxilium et supportacionem solucionis decime et quintedecime earundem per taxatores et collectores decime et quintedecime illarum in singulis comitatibus per extractas iusticiariorum predictorum eisdem taxatoribus et collectoribus liberandas iuxta formam nobis in dicto parlamento per dictam communitatem liberatam et per nos acceptatam quam vobis mittimus in forma patenti sigillo nostro signatam leuanda et colligenda.

Nos volentes de dictis decima et quintadecima pro primo anno dicti triennii responderi iuxta concessionem nobis inde factam, assignauimus vos coniunctim et diuisim ad leuandum, colligendum et recipiendum ad opus nostrum pro primo anno predicto de singulis ciuitatibus, burgis et villis in comitatu Essex' tam infra libertates quam extra tantam pecunie summam quanta de eisdem ciuitatibus, burgis et villis in comitatu predicto in vltima concessione huiusmodi decime et quintedecime leuata fuit ad opus nostrum; ita quod nobis de vna medietate omnium denariorum de decima et quintadecima predictis in dicto comitatu proueniencium in festo Pasche proxime futuro et de altera medietate denariorum eorundem in festo Sancti Michaelis proxime sequente respondeatis, et eciam assignauimus vos ad omnia predicta fines, redempciones, exitus et amerciamenta leuanda et colligenda et inter villatas et hameletta predicta distribuenda et liberanda iuxta formam supradictam.

Et ideo vobis mandamus quod, statim visis presentibus, vos de villa ad villam et loco ad locum infra comitatum predictum tam infra libertates quam extra prout expedire videritis personaliter diuertatis et venire faciatis coram vobis de qualibet villa dicti comitatus duos homines et prepositum et de qualibet ciuitate et burgo eiusdem comitatus maiorem et balliuos et quatuor homines de discrecioribus et probioribus hominibus eorundem villarum, ciuitatum et burgorum ad certos dies et loca eis magis acomoda per vos designanda; iniungentes eisdem quod pecuniam predictam decime et quintedecime predictarum per vnum vel duos de singulis villarum, ciuitatum et burgorum predictorum magis sufficientes leuari et vobis liberari faciant indilate. Alioquin dictam pecuniam de decima et quintadecima predictis de ipsis ciuitatibus, burgis et villis cum omni celeritate leuari et nobis inde responderi et dicta fines, redempciones, exitus et amerciamenta collegi et leuari et inter villatas et hameletta predicta distribui faciatis sicut predictum est.

Damus autem vobis et cuilibet vestrum plenam tenore presencium potestatem distringendi et amerciandi omnes illos quos ad veniendum coram vobis premuniri feceritis si coram vobis venire recusauerint, necnon capiendi et arestandi omnes illos si qui vobis vel alicui vestrum in execucione premisorum resistentes fuerint, necnon castigandi et puniendi omnes huiusmodi rebelles aliis viis et modis quibus pro celeri leuacione denariorum predictorum melius videritis expedire. Damus eciam ducibus, comitibus, baronibus, militibus et liberis hominibus et toti communitati comitatus predicti tam infra libertates quam extra, necnon maioribus et balliuis ciuitatum et burgorum in eodem comitatu ac balliuis prelatorum, ducum, comitum, baronum et aliorum quorumcumque infra libertates et extra et vicecomiti nostro eiusdem comitatus tenore presencium in mandatis quod vobis et cuilibet vestrum in premissis omnibus et singulis faciendis et exequendis intendentes sint respondentes, consulentes et auxiliantes prout eis scire feceritis ex parte nostra, et quod idem vicecomes omnes

homines porciones ipsos inde contingentes soluere recusantes vna vobiscum distringat et ad solucionem huiusmodi compellat quociens et quando per vos vel aliquem vestrum super hoc fuerit premunitus.

In cuius rei testimonium, has literas nostras fieri fecimus patentes.

Teste me ipso, apud Westmonasterium, xxv^{to} die Februarii, anno regni nostri Anglie vicesimo sexto, regni vero nostri Francie terciodecimo.

Per ipsum Regem et consilium.

Exhibuit eciam hic prefatus Leo de Bradenham formam leuacionis et concessionis de quibus fit vltcrius mencio in breui in hec verba: (duplicated in *Miscellanea of the Exchequer*, no. 4/39; printed from a British Museum transcript in *Statutes of the Realm*, as 25 Edw. III, st. vii, Statutum de Forma leuationis Decimequinte.)

Come nostre seigneur le Roi, prelatz, ducs, countz, barons et autres grantz assembleyz en cest parlement tenuz a Weymonster en la feste de Seint Hiller lan du regne meisme nostre seigneur le Roi Dengleterre vintisme quint et de Fraunce douszisme eient grantez as les communes de dit roialme Dengleterre en eide des disme et quinzisme queles les ditz communes out grantez au nostre dit seigneur le Roi, pur lesloit de sa guerre de France et defense de son dit roialme Dengleterre, pur trois aunz proscheinz ensuantz, toutz les fynes, issuez, forfaitz, amerciementz et toutz autres profitz que sont ou serount leuez ou prises des laborers, artificers, regraters, vitaillers, hostillers et totes manere dez ouerours et dez seruantz en toutz pointz, (comme pleinement est contenuz en lestatut ent fait au dreyn parlement tenuz a les oetaues de la Chaundeloure lan susdit,) de la feste du Pasche drayne passe tanques a dreyn terme du payement des dismes et quinzismes susditz. Et ouesques ceo si rien soit aderiere dez dites fynes, amerciementz et autres profitz susditz de la fesaunce de dit estatut, que nest mye paye a les communes en eide de lour disme et quinzisme cur-

rantz deuant sez heures (ou des sommes de queles le Roi nest mye respounduz), adonques eient les dites communes ceo que issint est aderere en eide de lour disme et quinzisme triennales a cest parlement grantez; les ditz communes prient a nostre dit seigneur le Roi et a les grantz, que commissions dez laborers soient faites as certeignes gentz en chescune countee nomez par les ditz communes en meisme le parlement, denquere et de fair droit solonq lestatut auantdit; et que meismes les iustices preignent gagez resonablez, chescun solonq son estate, des issuez et profitz de lour sessions; et que les iustices facent deliuerer lour extretz as coillours de les dismes et quinzismes es counteez ou ils serront par endenture, et que extretes ent liueretz en leschequier soient liueretz as ditz iustices, qi les ferrount liuerer hors de lour gard as ditz coillours; et meisme les iustices auant lour leuer en chescun session facent affirer les amerciementz come appent; et quant ils serrount issint affirez soient touz les extretes et touz profitz de lour sessions a la fyne de chescun session mys en certeyn somme en presence des ditz iustices, coillours et des chiualers et des sergeantz des mieltz vaus de pays, et soit apporcione meisme la somme par serement des bones et loials chiualers et autres de chescune hundred en la forme qensuit: cest assauoir que de chescun hundred soient certeynes gentz eslut deuant mesmes les iustices tanque il bosoignera iuretz a monstrar et a dire de chescune ville del hundred et de chescun hamel le gast mischiefes et lempouerissement des yceles, sibien deinz franchise come dehors, saunz celer ou fauere fair a nully, et soit la somme, quant ele serra issint mys en certeyne, a fyne de chescune session, apporcione entre lez ditz villes et hameles par lauys dez ditz iustices et par serement des ditz coillours et autres sousnomez solonc lestat des ditz villes et hamels et lour mischiefes et solonc ceo que lour necessite demande; issint que a chescune ville et hamel soit allote sa porcioune, et mys en certeyn, et la cause dycel, deuant les ditz iustices, et mys en lour recordes, et recoupe en partye du payement del aunciene taxe des ditz villes et hamels; et que le remenant du taxe des dites villez et hamels soit leue

par les ditz coillours outre les extretes liueretz a eux par les ditz iustices solonc laporcionement susdite, et nient pluys, sour peyne de perdre la treble as parties des queux les choses serront leuetz, et qui de ce se senterent greuez et destre retynte a la volente le Roi; et que les ditz iustices eient poair a oier et terminer, si bien a la suyte du partie come a la suyte le Roi, des coillours, soutcoillours, taxours et autres ministres qecumqes, et de totez autres qui ferrount ou vendront contre leur ordinaances susdites, et afaire sour ceo redde punissement, et que toutz les profitz issantz des tieux punissementz en qecomque manere, que serront aiuggetz deuant les ditz iustices des tieux laboriers, ouerours et artificers, ou par cause de eux, soient en eide de la commune, pur porter la charge de leur disme et quinzisme auantdites. Et contenuz soit en les commissions ent faites, que touz ministres, seignurs des franchises et leur baillifs soient attendantz a les ditz iustices sour gref payne; as queux choses susdites nostre seigneur le Roi, prelatz, ducs, countes et autres grantz au dit parlement donez leur assent pleinement; issint totes voies, que par cause de nul poynt susdit de leuer ne la paier des dites disme et quinzisme triennales ne soit pas delaye en nul manere as nuls des termes susdites.

Memoranda Roll, L. T. R., no. 118.

Adhuc Communia de termino Sancti Hillarii anno xxvii^o
Regis Edwardi tercii post conquestum. Adhuc Recordas,
rot. 19.

Anglia, De modo et forma admissionis compotorum de
finibus etc. operariorum, seruientum et artificum.

Memorandum quod cum in quodam statuto . . . (*i. e.* statute of labourers of the 25th year; there follows, first, a brief summary of both the ordinance and the statute, and second, a literal quotation in Latin of the clause of the statute beginning "Item que viscontes"¹) datum est curie intelligi quod denarii pro-
uenientes de finibus, redempcionibus, excessibus, exitibus et

¹ App., 16.

amerciamentis predictis concellantur per diuersos ministros Regis qui denarios illos leuare et sibi ipsis appropriare ac in vsibus suis propriis conuertere intendunt, absque eo quod quicquam solutum sit Regi inde in exoneracionem communitalis regni Anglie de predicta xv^a, videlicet, triennali concessa supradicto anno xxv^{to} iuxta formam statuti predicti, ad dampnum Regis et dicte communitalis. Ideo pro huiusmodi dampno euitando in euentu et vt sciatur quod denarii predicti rite leuentur, soluantur et expendantur in exoneracionem dicte communitalis et celeriori solucione xv^e predictae, pro commodo Regis concordatum est quod mandetur omnibus huiusmodi iusticiariis per Angliam quod extractas suas liberent collectoribus xv^e predictae per indenturas et quod alteras partes indenturarum illarum penes eosdem iusticiarios remansuras post confecciones earundem mittant hic sub sigillis suis de tempore in tempus prout etc. Mandetur eciam collectoribus dicte xv^e et x^e triennialium in singulis comitatibus Anglie quod dictas extractas a prefatis iusticiariis recipiant per indenturas in forma predicta et denarios in eisdem extractis contentos leuent et inde respondeant hic proportionaliter in exoneracionem communitalis singulorum comitatum Anglie in quibus leuati fuerint de solucione xv^e et x^e predictarum. Ipsique collectores computent hic ad scaccarium per extractas predictas eis per dictos iusticiarios liberandas per quas et similiter per certificationes eorundem iusticiariorum faciendas hic, ipsi collectores onerentur super compotis suis.

Concordatum est insuper quod auditis compotis illis hic in forma predicta capiantur pedes compotorum illorum et respondeant collectores statim de summis suis antequam recedant in exoneracionem, videlicet, dicte communitalis de solucione xv^e et x^e predictarum, dictique compoti non ingrossentur quousque etc. Set remaneant in custodia ingrossatoris huius scaccarii et quod extracte super eosdem compotos restitute ac particule compotorum illorum remaneant in custodia rememeratoris; que quidem extracte innouentur de tempore in tempus cum necessitas requiratur currentibus xv^a et x^a predictis. Ita

quod cessantibus ipsis xv^a et x^a satisfactoque Regi inde, id quod superfuert non leuatum per extractas predictas leuetur ad opus Regis.

Memoranda Roll, K. R., no. 129.

Adhuc Breuia directa baronibus de termino Sancte Trinitatis anno xxvii^o Regis Edwardi tercii; rot. 5 d.

Pro collectoribus x^{me} et xv^{me} Regi anno xxv^{to} concessarum in comitatu Buk' pro primo anno solucionis earundem.

Rex thesaurario et baronibus suis de scaccario, salutem. Cum nuper in parlamento nostro apud Westmonasterium conuocato, concordatum fuisset quod omnes pecuniarum summe de finibus, amerciamentis et exitibus operariorum, seruientium et artificum prouenientes per collectores decime et quintedecime per extractas iusticiariorum nostrorum ad inquirendum de huiusmodi operariis, seruientibus et artificibus assignatorum eis liberandas leuarentur et inter villatas ubi magis indigerit in auxilium solucionis decime et quintedecime predictarum distribuerentur, ac iam ex parte collectorum dictarum decime et quintedecime in comitatu Buk' pro primo anno concessionis earundem nobis sit ostensum quod, licet vos extractas huiusmodi finium, amerciamentorum et exituum operariorum, seruientium et artificum coram Willelmo de Sharesull et sociis suis iusticiariis nostris ad placita coram nobis tenenda assignatis in sessione sua in comitatu predicto factorum et adiudicatorum prefatis collectoribus de mandato nostro liberaueritis ad eosdem fines, amerciamenta et exitus per extractas illas leuanda et distribuenda in forma predicta, vos tamen iam pretendentes fines, amerciamenta et exitus predictos coram prefato Willelmo et sociis suis predictis factos et adiudicatos ad nos pertinere debere, dictos fines, amerciamenta et exitus per ipsos collectores per extractas predictas leuatos eis allocare distulistis et diuersas pecuniarum summas de finibus, amerciamentis et exitibus predictis ad opus nostrum leuari fecistis contra formam concordie supradicte. Et quia intencionis nostre et consilii nostri extitit

et existit quod omnes huiusmodi fines, amerciamenta et exitus operariorum, seruientum et artificum tam coram iusticiariis ad placita coram nobis tenenda assignatis quam aliis iusticiariis nostris quibuscumque facti et adiudicati in auxilium solucionis decime et quintedecime predictarum conuertantur, vobis mandamus quod prefatis collectoribus omnes pecuniarum summas de huiusmodi finibus, amerciamentis et exitibus coram prefato Willelmo et sociis suis predictis factis et adiudicatis tam per ipsos collectores quam per vos leuatas eisdem collectoribus in alleuiacionem porcionum pauperes villatas comitatus predicti de decima et quintadecima predictis contingencium ad scaccarium predictum allocetis iuxta intencionem nostram supradictam.

Teste me ipso, apud Westmonasterium, vi die Iunii, anno regni nostri Anglie vicesimo septimo, regni vero nostri Francie quartodecimo.

Cf. ibid., Trin., Recorda, Bucks.; De allocacione facienda collectoribus xv^{me}.

Lay Subsidy, 242/81, Derby.¹

No. 2. Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, collectoribus decime et quintedecime in comitatu Derby, salutem. Mandamus vobis quod dilecto et fidei nostro Hugoni de Meignill vni iusticiariorum nostrorum ad inquirendum de operariis, seruientibus et artificibus in comitatu predicto assignatorum sex solidos et octo denarios pro se et clericis suis per diem pro vadiis suis tam pro tempore quo sessiones suas circa premissa in comitatu predicto fecit quam exnunc pro tempore quo sessiones suas huiusmodi in eodem comitatu facere contingeret, videlicet pro quadraginta diebus per annum si sessiones suas huiusmodi per tot dies ibidem fecerit ex hac causa de exitibus extractarum finium, amerciamentorum et exituum huiusmodi operariorum, seruientum et artificum vobis liberatarum et liberandarum solui et habere faciatis.

¹ App., D, 4.

Teste me ipso, apud Westmonasterium, xii die Maii, anno regni nostri Anglie vicesimo sexto, regni vero nostri Francie terciodecimo.

Hank.

(Enrolled Claus., 26, m. 16, under the date 1 May; printed in *Rot. Parl.*, ii, 455, and *Cal. Close Rolls*, ix, 436.)

No. 1. Nouerint vniuersi per presentes me Hugonem de Meignill, militem, iusticiarium domini Regis in comitatu Derb' ad diuersa grauamina, extorciones, excessus laborancium et seruiencium audienda et terminanda assignatum, recepisse de Iohanne de Greseley et sociis suis collectoribus xv^e et x^e secundi anni triennialium domino Regi concessarum in comitatu Derb' viginti marcas sterlingorum de feodo meo pro me et clericis meis, ab vltimo die Marci anno regni Regis nunc xxv^{to} vsque festum Michaelis anno xxvii^{to}, pro xl diebus quibus sessiones meas feci in hac parte, percipiendo per diem dimidiam marcam, virtute breuis domini Regis dicto Iohanni et sociis inde directi. De quibus vero viginti marcis fateor me fore pacatum et dictos Iohannem et socios suos quietos per presentes.

In cuius rei testimonium, presentibus sigillum meum apposui. Data apud Derb' die Veneris proximo post festum Sancti Michaelis Archangeli, anno regni Regis Edwardi tercii post conquestum vicesimo septimo.

Similar writs as follows: no. 6, to William de Wakebrugg, 12 May, 26th year; Henry de la Pole, 12 July, 26th year; enrolled on Close Rolls, *ut supra*, with slight differences of dates of the months; no. 4, to John Cokeyn, 20 July, 27th year. Receipts from all the above. All these are the original documents, consisting of small pieces of parchment fastened together in one bundle.

Memoranda Roll, L. T. R., no. 119.

Adhuc breuia retornabilia de termino Sancti Michaelis anno xxviii^o Regis Edwardi tercii post conquestum.

Bed' Rex dilectis et fidelibus suis Iohanni Morice et Iohanni Mareschal iusticiariis ad transgressionem et excessum operariorum, seruientum et artificum in comitatu Bed' puniendos assignatis, salutem. Mandamus vobis quod omnes extractas finium, exituum, amerciamentorum et excessuum coram vobis et sociis vestris adiudicatorum penes vos adhuc existentes et collectoribus primi et secundi anni solucionis xv et x^e triennialium nobis a laicis anno regni nostri Anglie xxv^{to} concessarum in comitatu predicto nondum liberatas, dilectis nobis collectoribus tercii anni solucionis xv^e et x^e predictarum per indenturas inde debite conficiendas liberetis, vt ipsi collectores tercii anni fines, exitus, amerciamenta et excessus predictos in alleuiacionem communitatis dicti comitatus de solucione eiusdem tercii anni ad opus nostrum leuare et super compotum suum inde nobis respondere [possint] iuxta formam concessionis nostre et statuti inde editi et prouisi. Et partes indenturarum illarum penes vos remansuras post confeccionem earundem habeatis siue mittatis ad scaccarium nostrum apud Westmonasterium, a die Pasche in xv dies sub sigillis vestris vel vnus vestrum et hoc breve, vt per partes illas per vos sic mittendas et liberandas dicti collectores tercii anni super compotum suum de eodem tercio anno onerari valeant, prout decet.

Teste G. de Wilford, apud Westmonasterium, ix die Decembris.

Per Originalia de anno xxv^{to} quoad commissionem iusticiariorum et formam concessionis et statuti predictorum, et per barones.

Memoranda Roll, K. R., no. 129.

Breuia irretornabilia de termino Pasche anno xxvii^{to} Regis Edwardi tercii.

Warr' Rex collectoribus xv^e et x^e triennalium nobis a laicis anno regni nostri Anglie xxv concessarum, secundo, videlicet, anno solucionis earundem in comitatu Warr', salutem. Cum Willelmus atte Spyne nuper vnus collectorum xv^e et x^e predictarum de primo, videlicet, anno solucionis earundem iam computauerit ad scaccarium nostrum pro se et sociis suis nuper collectoribus ipsarum xv^e et x^e de finibus, excessubus, exitibus et amerciam^{en}tis seruientum, operariorum et aliorum artificum per ipsum Willelmum leuatis per extractas inde ei per iusticiarios nostros ad transgression^{es} et excessus huiusmodi seruientum, operariorum et artificum in dicto comitatu puniendos assignatos,¹ per quem compotum idem Willelmus cognoscit se habere in custodia sua xxv s. iam levatos de finibus, excessubus, exitibus et amerciam^{en}tis predictis et quod lxii li. xv s. vi d. adhuc debentur per extractas predictas, ac iniunxerimus eidem Willelmo quod predictos xxv s. vobis soluat per indenturam indilate pro distribucione inde facienda inter villatas dicti comitatus per pesilenciam et paupertatem magis depressas, iuxta concessionem et ordinacionem nostras in vltimo parlamento nostro factas, vobis mandamus quod eosdem xxv s. a prefato Willelmo in forma predicta recipiatis et eos fideliter distribuatis, indeque nobis respondeatis in exoneracionem communitatis dicti comitatus, iuxta formam concessionis et ordinacionis predictarum, mittimus eciam vobis quatuor cedulas presentibus tachiatas nomina predictos lxxii² li. xv s. vi d. adhuc debencium continentes, mandantes quod eosdem lxii li. xv s. vi d. de terris et catallis eorundem debitorum et plegiorum eorundem proportionaliter, prout debentur in eisdem cedulis, leuari et distribui faciatis, indeque necnon de predictis xxv s. respondeatis in forma predicta super compotum vestrum in proximo reddendum de secundo, videlicet, anno solucionis xv^e et x^e predictarum. Et

¹ MS. assignatas.

² Clearly an error for lxii.

habeatis ibi tunc alteram partem dicte indenture penes vos remansuram, dictas quatuor cedulas et hoc breue.

Teste G. de Wylford, apud Westmonasterium, vii^o die Maii.

Per rotulum Memorandorum de eodem anno xxvii^o, Pasche; Visus compotorum.

Memoranda Roll, L. T. R., no. 120.

Adhuc Breuia retornabilia de termino Sancti Hillarii, anno xxix Regis Edwardi tercii post conquestum.

Norff'

Rex dilectis sibi Hugoni Peuerell, Edmundo de Reynham et Roberto atte Park, collectoribus xv^e et x^e triennialium nobis a laicis anno regni nostri Anglie xxv^{to} concessarum in comitatu Norff', videlicet, de tercio anno solucionis earundem, salutem. Mandamus vobis firmiter iniungentes quod omnes fines, exitus, amerciamenta et excessus per vos leuatos seu leuandos per extractas vobis liberatas de tempore ante festum Sancti Michaelis proxime preteritum distribui et allocari faciatis pauperibus villatis dicti comitatus et vadia iusticiariorum huiusmodi operatorum inde soluatis iuxta formam statuti inde editi et mandatorum nostrorum vobis inde directorum, per visum et testimonium Iohannis de Berneye quem ad vos ea de causa duximus transmittendum ne per vestri defectum seu negligenciam in hac parte querimonia ad nos perueniat iterata, per quod ad vos grauiter capere debeamus. Et quid inde feceritis thesaurario et baronibus de scaccario nostro apud Westmonasterium in octabis Purificacionis beate Marie distincte et aperte constare faciatis.

Teste G. de Wilford, xxiii die Ianuarii.

Per thesaurarium et barones ac alios de consilio.

Memoranda Roll, L. T. R., no. 123.

Adhuc Communia de termino Sancti Michaelis anno xxxii^o Regis Edwardi tercii a conquestu. Adhuc Recordar, rot. 21 d.

Derb' De Henrico de la Pole et aliis iusticiariis attachiatis pro liberatione extractarum.

Comperto in Originalibus de anno xxv^{to} Regis nunc quod Rex per literas suas patentes datas xv die Marcii eodem anno, assignauit Iohannem de Grey de Codenore, Hugonem de Meynill, Nicholaum de Langeford, Willelmum de Skypwyth, Iohannem de Moubray, Rogerum Michel de Breydeston, Iohannem Cokayn et Thomam Adam de Assheburn ad pacem et statuta apud Wyntoniam et Norhamptoniam pro conseruacione pacis eiusdem edita in omnibus et singulis articulis suis in comitatu Derb' custodienda et custodiri facienda et eciam ad ordinationes de operatoribus per Regem et consilium suum pro communi vtilitate regni tam in consilio Regis quam in vltimo parlamento apud Westmonasterium tentis factas in omnibus et singulis suis articulis in comitatu predicto infra libertates et extra custodiendas et custodiri faciendas et ad omnes illos quos contra formam earundem inuenirent in aliquo delinquentes castigandos et puniendos prout secundum formam earundem foret faciendum, et ad ordinandum, superuidendum et faciendum quod omnes et singuli articuli in dictis ordinationibus contenti in comitatu predicto infra libertates et extra debite executioni demandarentur; et quod postmodum, videlicet, xx die Iulii proxime sequente, Willelmus de Wakebrugg et Henricus de la Pole et eorum alter associati fuerunt dicto Iohanni de Grey et sociis suis predictis et eorum cuilibet ad premissa omnia et singula in eodem comitatu facienda et explenda in forma predicta; preceptum fuit vicecomiti dicti comitatus quod distringeret predictos Iohannem de Grey, Hugonem de Meynill et executores testamenti predicti Nicholai de Langeford, Willelmum de Skypwyth, Iohannem de Moubray, Rogerum Michel, Iohannem Cokayn, Thomam Adam, Willelmum de Wakebrugg et Henricum de la Pole per terras etc.; ita quod haberet corpora eorum hic modo in crastino Sancti Michaelis ad liberandum hic extractas de finibus, exitibus, amerciamentis et excessibus coram eisdem iusticiariis Regi adiudicatis in sessionibus per ipsos factis pretextu literarum predictarum.

Et ad predictum crastinum dictus vicecomes retornauit breue quoad predictum Iohannem de Grey et executores testamenti predicti Nicholai de Langeford et mandauit quod predictus Iohannes de Grey et Alicia que fuit vxor predicti Nicholai et Nicholaus de Langeford, iunior, executores testamenti predicti Nicholai, districti sunt et exitus etc. Et prefatus Iohannes de Grey per Iohannem de Wodehous et predicti Alicia et Nicholaus, executores etc., per Iohannem de Edenesouere attornatos suos veniunt. Et idem Iohannes de Grey pro se dicit quod dicte litere patentes ad manus suas nunquam deuenerunt nec ipse de aliqua sessione pretextu literarum illarum in dicto comitatu Derby se intromisit, nec alique extracte penes ipsum remanent. Et hoc pretendit verificare etc. Et predicti Alicia et Nicholaus, executores etc., dicunt quod dicte litere patentes nunquam deuenerunt ad manus predicti Nicholai nec ipse aliquam sessionem fecit aut se inde in aliquo intromisit nec alique extracte penes ipsum remanserunt. Et hoc pretendunt similiter verificare etc. Et quoad predictos Hugonem de Menyl, Willelmum de Skypwyth, Iohannem Moubray, Rogerum Michel, Iohannem Cokayn, Thomam Adam, Willelmum Wakebrugg et Henricum de la Pole, vicecomes non retornauit breue. Set prefatus Henricus de la Pole, inuentus hic in curia et super premissis allocutus, recordatur quod ipse intromisit se de sessione predicta et quod nulle extracte inde penes ipsum remanent, set quod omnes extracte de sessionibus illis remanent penes predictum Hugonem de Menyll. Predictique Willelmus de Skypwyth, Iohannes de Moubray, Willelmus de Wakebrugg, inuenti in curia et super premissis allocuti, recordantur quod in nullo se intromiserunt se sessione predicte iusticiarie nec alique extracte inde remanent penes ipsos Willelmum, Iohannem et Willelmum. Ideo tam ipsi Willelmus de Skypwyth, Iohannes de Moubray et Willelmus de Wakebrugg quam predictus Henricus de la Pole inde ad presens sine die. Et quoad predictos Hugonem de Meynill, Rogerum Michel, Iohannem Cokayn et Thomam Adam, preceptum est vicecomiti Derby quod distringat eos per terras etc.; ita etc. in octabis Sancti Hillarii ad liberan-

dum extractas etc. Et idem dies datus est predictis Iohanni de Grey de Codenouere, Alicie et Nicholao de Langford, executoribus etc., ad faciendum quod etc.

Ad quem diem predicti Iohannes de Grey de Codenore, Alicia et Nicholaus de Langford, executores etc., veniunt per dictos attornatos suos.¹ Et vicecomes retornauit quod predicti Hugo de Meignill, Rogerus Michel, Iohannes Cokeyn et Thomas Adam districti sunt et exitus etc. Et ipsi non veniunt. Ideo sicut alias, ita etc. in crastino Clausi Pasche. Et idem dies datus est predictis Iohanni de Grey, Alicie et Nicholao ad faciendum quod etc. Ad quem diem predicti Iohannes de Grey de Codenore, Alicia et Nicholaus de Langford, executores etc., veniunt per dictos attornatos suos. Et vicecomes non retornauit breue quoad predictos Hugonem de Meynill, Rogerum Michel, Iohannem Cokayn et Thomam Adam. Set predictus Hugo de Meignill venit per Robertum de Sekyndon, attornatum suum, et dicit quod qualitercumque dictus Henricus de la Pole recordatus fuerit quod nulle extracte de sessione iusticiarie predictae facta dictis annis xxv^{to} et xxvi^{to} remanent penes ipsum Henricum et quod omnes extracte ille remanent penes eundem Hugonem de Meignill, idem tamen Hugo dicit quod nulle extracte inde remanent penes ipsum Hugonem. Set quod eodem extracte de predictis annis xxv^{to} et xxvi^{to} integre remanserunt et adhuc remanent penes dictum Henricum de la Pole, petens pro Rege quod idem Henricus veniat hic ad liberandum extractas illas.

Et facto scrutinio super liberatione extractarum de huiusmodi finibus operariorum facta per iusticiarios inde in dicto comitatu Derb' a tempore quo primo assignati fuerunt ad transgressionem et excessum operariorum puniendos, videlicet, a supradicto xv^o die Marcii anno xxv^{to} et deinceps, non est compertum quod aliquae huiusmodi extracte liberantur per dictos iusticiarios de tempore, videlicet, inter dictum xv diem Marcii anno xxv^{to} et festum Sancti Michaelis anno xxviii^o. Compertum est tamen in rotulo compotorum de taxationibus, in com-

¹MS. suum.

poto, videlicet, Iohannis de Greseley et sociorum suorum collectorum xv^e et x^e triennalium Regi anno xxv^{to} concessarum in dicto comitatu Derb', de secundo, videlicet, anno solucionis earundem, quod iidem collectores onerant se et respondent de lxi li. xiiii s. xi d. de finibus operariorum etc. quos computant liberasse diuersis villatis et burgis dicti comitatus in subuencionem xv et x predictarum, videlicet, per vii rotulos et vnam cedulam indentatos eisdem collectoribus per dictos iusticiarios liberatos et continentes ci li. xiiii s. xi d., videlicet, de sessione dictorum iusticiariorum de predictis annis xxvi et xxvii^o; de qua liberacione predictorum lxi li. xiiii s. xi d. ipsi collectores liberarunt curie ccxvi indenturas inter ipsos collectores ex parte vna et subcollectores suos ex altera confectas. Residuum vero dictorum ci li. xiiii s. xi d. ipsi collectores computant se liberasse prefatis Hugoni de Meynill, Iohanni Cokayn, Willelmo de Wakebrugg et Henrico de la Pole, iusticiariis, pro vadiis suis sicut continetur in compoto ipsorum collectorum de finibus predictis etc. per ipsos collectores leuatis per vii rotulos et vnam cedulam indentatos supradictos eisdem collectoribus per dictos iusticiarios liberatos de sessione sua de predictis annis xxvi et xxvii^o; qui quidem compotus residet in custodia ingrossatoris hic in scaccario. Set non inuenitur penes scaccarium hic quod dicti iusticiarii liberarunt hic iuxta formam statuti etc. aliquod . Originale de predictis finibus continens predictos ci li. xiiii s. xi d. de eisdem annis xxvi^o et xxvii^o neque de aliquibus huiusmodi finibus operariorum de supradicto anno xxv^{to}. Ideo preceptum est vicecomiti Derb' quod distingat predictum Henricum de la Pole, Rogerum Michel, Iohannem Cokayn et Thomam Adam per terras etc., ita etc. in crastino Sancte Trinitatis, ad liberandum extractas de predictis annis xxv^{to}, xxvi^{to} et xxvii^o. Et idem dies datus est prefatis Iohanni de Grey, Hugoni de Meignill, Alicie et Nicholao de Langeford ad faciendum et recipiendum inde quod etc.

Ad quem diem predicti Iohannes de Grey, Hugo de Meignill, Alicia et Nicholaus de Langeford veniunt per dictos attornatos suos et per defaltam predictorum Henrici de la Pole, Rogeri

Michel, Iohannis Cokayn et Thome Adam versus quos fit executio vt prius, adiornantur vltcrius vsque crastinum Sancti Michaelis.

Ad quem diem predicti Iohannes de Grey, Hugo, Alicia et Nicholaus veniunt per dictos attornatos suos. Et vicecomes Derb' retornauit quod predicti Henricus de la Pole, Rogerus Michel, Iohannes Cokayn et Thomas Adam districti sunt et exitus etc. Et ipsi non veniunt. Ideo distringantur sicut pluries, ita etc. in crastino Sancti Hillarii. Et idem dies datus est prefatis Iohanni de Grey, Hugoni, Alicie et Nicholao ad faciendum et recipiendum inde quod etc.

Ad quem diem predicti Iohannes de Grey, Hugo de Meignill, Alicia et Nicholaus de Langeford veniunt per dictos attornatos suos. Et predicti Henricus de la Pole et Rogerus Michel veniunt in propriis personis suis. Et predicti Iohannes Cokayn et Thomas Adam non veniunt. Et predicti Iohannes de Grey, Hugo de Meignill, Alicia et Nicholaus pro se ipsis dicunt vt prius. Et predicti Henricus de la Pole et Rogerus Michel pro se ipsis dicunt quod non habent penes se aliquas extractas de predictis annis xxv, xxvi et xxvii^o. Dicunt enim quod non fuerunt alique extracte prouenientes de sessione sua dicte iusticiarie de predicto anno xxv^{to} et quod alie partes dictorum vii rotulorum et vnus cedula indentatorum de extractis de predictis annis xxvi^{to} et xxvii^o deuenerunt in custodiam Iohannis Beek, clerici sui, et postmodum casualiter sunt deperdite vt intelligunt. Set dicunt sub omni periculo quod etc. quod dicte partes vii rotulorum et vnus cedula indentate sic deperdite non continebant maiorem summam denariorum quam predictos ci li. xiiii s. xi d. contentos in dictis vii rotulis et vna cedula indentatis per dictos collectores xv^e et x^e hic ad scaccarium liberatis. Super quo, dictum est eisdem Henrico et Rogero quod diligencius scrutari faciant dictas vii partes rotulorum et cedule indentatorum, ita quod eas habeant hic a die Pasche in unum mensem liberandas etc. et quod tunc sint hic ad audiendum et recipiendum quod etc. quoad extractas de predicto anno xxv^{to}. Et preceptum est vicecomiti quod distringat predictos Iohan-

nem Cokayn et Thomam Adam per terras etc. ita etc. ad dictum mensem. Et idem dies datus est predictis Iohanni de Grey, Hugoni, Alicie et Nicholao ad recipiendum quod etc.

Ad quem diem predicti Iohannes de Grey, Hugo, Alicia et Nicholaus veniunt per dictos attornatos suos. Et vicecomes retornauit breue et mandauit quod predicti Iohannes Cokayn et Thomas Adam districti sunt et exitus etc. Et idem Iohannes Cokayn venit in propria persona sua et cognoscit quod ipse intromisit de quibusdam sessionibus, set dicit quod nulle extracte penes ipsum remanent nec aliquę extracte ad manus ipsius Iohannis vnquam deuenerunt, et quia idem Iohannes assignatus fuit iusticiarius et premissa recordatur, dictum est ei quod eat ad presens inde sine die, salua accione Regis si alias etc. Et prefatus Thomas Adam non venit. Ideo distringatur ita etc. in crastino Sancte Trinitatis sicut continetur in ligea breuium de termino Pasche anno xxxiii^o. Et idem dies datus est prefatis Iohanni de Grey, Hugoni, Alicie, Nicholao et Henrico de la Pole et Rogero ad recipiendum super premissis quod etc.

Ad quem diem dicti Iohannes de Grey, Hugo, Alicia et Nicholaus et Rogerus Michel veniunt per dictos attornatos suos. Et prefatus Henricus de la Pole venit similiter in propria persona sua. Et vicecomes non retornauit breue quoad prefatum Thomam Adam. Ideo sicut pluries, ita in crastino Sancti Michaelis. Et idem dies datus est prefatis Iohanni de Grey, Hugoni, Alicie et Nicholao et Rogero et Henrico ad recipiendum inde quod etc. Ad quem diem predictus Henricus de la Pole in propria persona sua et predicti Iohannes de Grey, Hugo, Alicia et Nicholaus, Rogerus et Henricus veniunt similiter per dictos attornatos suos. Et idem Henricus de la Pole liberauit hic Originale dictorum finium operariorum de predictis annis xxv^{to}, xxvi^{to} et xxvii^o continens viii rotulos; qui examinati cum dictis vii rotulis et dicta cedula indentatis concordant in nominibus et summis particularibus necnon predicta summa totali predictorum ci li. xiiii s. xi d.; per quos quidem rotulos et cedulam dicti collectores xv^e in comitatu Derb' computarunt et onerantur, responderuntque et satisfecerunt de eisdem ci li.

xliii s. xi d., sicut continetur in rotulo compotorum de taxationibus. Ideo non fiat executio per dictum Originale iam liberatum hic per dictum Henricum de la Pole; set idem Originale consignetur cum litera D nominatim prout dicti rotuli indentati et cedula consignantur et remaneat in custodia clerici extractarum custodiendum prout etc. Et dictum est tam eisdem Henrico quam dictis Iohanni de Grey, Hugoni, Alicie, Nicholao et Rogero quod inde eant sine die, nec fiat ulterius executio versus prefatum Thomam Adam inde.

Memoranda Roll, L. T. R., no. 120.

Adhuc Communia de termino Sancti Michaelis anno xxix Regis Edwardi tercii.

Adhuc Presentaciones, Attornamenta, Dies Dati et Respectus; rot. 7 d.

Bed' Willelmus Mordaunt, Robertus Duper et Simon de De die Loryng, collectores tercii anni solucionis xv^e et x^e triennalium Regi a laicis anno xxv concessarum in comitatu Bed', qui presentes hic admiserunt diem essendi hic in crastino Purificacionis beate Marie proximo futuro ad computandum de tercio anno predicto, sicut continetur inter Dies Datos de hoc termino ex parte alterius rememoratoris, allocuti sunt per barones super leuacione finium, excessuum, exituum et amerciamen-torum operariorum, seruientum et artificum etc., [et] dicunt quod nichil inde leuauerunt eo quod nullas extractas inde receperunt, petentes quod demandetur Galfrido de Lucy et sociis suis iusticiariis ad transgressiones huiusmodi operariorum etc. pro deliberacione extractarum etc. Ideo mandatum est eisdem iusticiariis per breue, cuius data est secundo die Nouembris hoc termino, quod omnes extractas penes ipsos iusticiarios adhuc remanentes de huiusmodi finibus etc. liberent predictis collectoribus per indenturam etc. et partem indenture illius habeant hic ad dictum crastinum Puri-

ficacionis liberandam vt per eandem partem dicti collectores onerentur super compotum prout etc. Quod quidem breue liberatur dictis collectoribus ⁱⁱⁱⁱ^{to} die Nouembris hoc termino deferendum etc. Et iniunctum est eisdem collectoribus quod sequantur cum ea celeritate qua etc. penes dictos iusticiarios pro dictis extractis habendis et quod habitis extractis illis leuari faciant omnes denarios contentos in eisdem, eosdemque denarios fideliter distribuunt inter pauperes villatas dicti comitatus et quod sint hic ad dictum crastinum Purificationis ad computandum inde prout etc. quem diem inde admiserunt sub periculo quod etc.

Ad quem diem predicti collectores venerunt. Et predictus Galfridus de Lucy, iusticiarius, venit et liberauit hic x rotulos indentatos de huiusmodi finibus operariorum, continentes lxxiii li. iiii s. viii d.; quorum rotulorum alteram partem indentatam recordatur idem iusticiarius se liberasse prefatis collectoribus circiter festum Sancte Trinitatis anno xxviii^o; super quo dicti collectores allocuti cognoscunt quod receperunt alteram partem indenture predicte et se leuasse pro maiori parte predictos lxxiii li. iiii s. viii d. et eos distribuerunt inter pauperes villatas dicti comitatus iuxta formam statuti etc. ante festum, videlicet, Sancti Michaelis proxime preteritum quod dictus iusticiarius est testatus. Et quia in statuto edito super punitione huiusmodi operariorum inter cetera continetur quod si dicti fines, redempciones, amerciamenta et excessus operariorum non soluantur in auxilium xv^e predicte et cessante xv^a illa id quod tunc restat leuandum de huiusmodi finibus etc. leuetur ad opus Regis et inde respondeatur Regi per vicecomitem comitatus in quo leuandum fuerit, iniunctum est prefatis collectoribus quod id quod restat leuandum de predictis lxxiii li. iiii s. viii d. leuari faciant indilate et inde respondeant Regi super compotum suum de finibus predictis; ad quem compotum Regi reddendum datus

est dies dictis collectoribus hic a die Pasche in xv dies quem diem inde admiserunt sub periculo quod etc. Ad quem diem predicti Willelmus, Robertus et Simon venerunt et prestiterunt de fideliter computando etc. Postea percomputarunt; qui quidem compotus liberatur ingrossatori custodiendus xxv^{to} die Aprilis hoc termino.

3. *Extracts from Memoranda Rolls.* (Cf. pt. I, ch. iii, I, B, b.)

Memoranda Roll, L. T. R., no. 119.

Adhuc Communia de termino Sancti Michaelis anno xxviii^o Regis Edwardi tercii; adhuc Recorda, rot. 28.

Suht' De collectoribus xv^e et x^e commissis prisone pro transgressionibus.

Preceptum fuit vicecomiti Suht' quod distringeret Iohannem Botiller, Iohannem Wodelok, Stephanum de Welewyk, Iohannem Sely de Andeure, Iohannem de Kyngeston et Willelmum de Ryngeburn, collectores secundi anni solucionis xv^e et x^e triennialium Regi a laicis anno xxv^{to} concessarum in comitatu predicto, per terras et catalla sua etc., ita quod haberet corpora eorum hic modo a die Sancti Martini in xv dies ad reddendum Regi compotum de finibus, exitibus, amerciamendis et excessibus operariorum, seruiencium et artificum per ipsos collectores leuatis per extractas eis liberatas per iusticiarios ad transgressionibus et excessus huiusmodi operariorum, seruiencium et artificum puniendos assignatos in comitatu predicto, pretextu, videlicet, cuiusdam commissionis de magno sigillo dictis collectoribus inde facte, cuius tenor annotatur in quodam rotulo extracto de rotulis Cancellarie de anno xxvii^o et liberato hic, qui adhuc remanet in custodia rememoratoris Regis. Et ad dictam quindenam Sancti Martini predictus vicecomes non retornat breue. Set omnes dicti collectores veniunt, videlicet, predicti Iohannes Botiller, Iohannes Wodelok, Stephanus de

Welewyk et Iohannes Sely in propriis personis suis et predicti Iohannes de Kyngeston et Willelmus de Ryngburn per Iohannem de Holt, attornatum suum, et dicunt quod in premissis computare non debent. Dicunt enim quod predicti iusticiarii nondum liberarunt eis aliquas extractas pro huiusmodi finibus, exitibus, amerciammentis et excessibus leuandis nec ipsi collectores vel eorum aliquis quicquam inde leuauerunt aut se inde aliquialiter intromiserunt. Set quia suspicato quod predicti collectores receperunt extractas predictas et eas concellarunt etc., ipsi collectores de precepto curie iurati et postmodum diligencius examinati super recepcione earundem extractarum, predictus Iohannes Botiller cognouit quod ipse recepit ex liberatione Willelmi Coumfold, clerici dictorum iusticiariorum, quandam extractam continentem circiter xl li. et quod dicti socii sui, videlicet, Iohannes Wodelok, Stephanus et Iohannes Sely inde bonam habent noticiam, quod ipsi Iohannes, Stephanus et Iohannes Sely non dedicunt asserentes omnes ipsi iiii^{or} collectores se quicquam inde nondum leuassee nec predictos Iohannem de Kyngeston et Willelmum de Ryngbourn qui intromiserunt se de colleccione xv^e et x^e predictarum in Insula Vecta in nullo sciuisse vel se intromisisse de leuacione finium, exituum, amerciammentorum et excessuum predictorum, eo quod predicti iusticiarii nullam fecerunt sessionem in insula predicta. Et vnde Ricardus de Byrton qui est vnus dictorum iusticiariorum per commissionem Regis irrotulatam in Originalibus de predicto anno xxv^{to} et predictus Willelmus Coumfold, clericus ipsius iusticiarii, et Willelmi de Fifhyde, alterius dictorum iusticiariorum, presentes hic in curia et super premissis allocuti dicunt precise quod nullam fecerunt sessionem in dicta Insula Vecta et quod idem Willelmus Fifhyde per manus dicti clerici liberauit dictis collectoribus extractas de sessione sua quas tunc habuerunt arraiatas,

set de summa denariorum contentorum in eisdem dicunt quod non constat eis ad presens.

Et habita deliberacione super responso ipsorum collectorum quia ipsi collectores primo responderunt quod nullas extractas receperunt et postmodum iurati tam per cognicionem suam quam per testimonium dictorum iusticiariorum et clerici conuicti sunt quod receperunt extractas predictas sicque variarunt in eisdem responsis et cognicionibus suis in illusionem et decepcionem curie ac retardacionem solucionis finium etc. predictorum, necnon depauperacionem communitatis dicti comitatus, consideratum est quod ipsi collectores adeant prisonam.

Flete ¹ Et committuntur prisone de Flete, predictique Iohannes de Kyngeston et Willelmus de Ryngeburn inde eant sine die. Postea predicti ⁱⁱⁱⁱ^{or} collectores fecerunt fines cum

Finis Rege pro transgressionibus predictis, videlicet, predicti
xxx s. Iohannes Wodelok, Stephanus et Iohannes Sely per
in ex- xxx s., quilibet, videlicet, eorum per x s., et predictus
tractis. Iohannes Botiller per dimidiam marcam et eo minus
quam dicti socii sui eo quod primo cognouit recep-

Finis cionem extractarum contra voluntatem dictorum soci-
dimidia orum suorum vt apparuit per examinacionem predic-
marca tam. Et datus est dies eisdem ⁱⁱⁱⁱ^{or} collectoribus hic a
in ex- die Sancti Hillarii in xv dies ad computandum de fin-
tractis. ibus, exitibus, amerciamentis et excessibus predictis
per dictas extractas per eos iam receptas et interim re-
cipiendas et ad soluendum Regi predictos xxxvi s.
viii d. Et iniunctum est prefato iusticiario, manda-
tumque est per breue tam eidem iusticiario quam dicto
Willelmo de Fifhyde alteri dictorum iusticiariorum
quod omnes extractas penes eos adhuc remanentes de
sessionibus suis predictis nondum dictis collectoribus
liberatas, liberent eisdem ⁱⁱⁱⁱ^{or} collectoribus indilate per
indenturam etc. vt ipsi collectores fines etc. leuare et
inde respondere valeant ad dictam quindenam iuxta

¹Crossed through in MS.

formam concessionis Regis et statuti inde editi etc. et quod ipsi iusticiarii habeant vel mittant hic ad dictam quindenam alteras partes indenture etc., vt dicti collectores onerari valeant per easdem, prout etc.

Quia eciam tam predictus Ricardus de Byrton, iusticiarius quam predictus Willelmus de Coumfold, clericus iusticiariorum, testati sunt quod predictus Willelmus de Fifhyde, vnus dictorum iusticiariorum, liberauit collectoribus primi anni solucionis xv^e et x^e predictarum diuersas extractas de predictis sessionibus suis continentes magnam pecunie summam leuandam in exonerationem dicte communitatis et quod ipsi collectores leuauerunt plures denarios inde, et penes se detinent nondum distributos inter pauperes villatas dicti comitatus iuxta formam statuti predicti, visus est compotus ipsorum collectorum primi anni et compertum est in eodem quod ipsi collectores non responderunt de aliquibus denariis prouenientibus de finibus, exitibus et amerciamentis operariorum in comitatu predicto eo quod iusticiarii Regis ibidem nullas extractas eisdem collectoribus inde liberarunt, nec iidem collectores inde quicquam leuauerunt vt tunc asserebant per sacramentum suum. Et sic apparet conclamentum etc. Ideo concordatum est quod ipsi collectores primi anni, videlicet, Rogerus Gerueys, Ricardus de Harnhull et Willelmus Helioun veniant etc. Et preceptum est vicecomiti Suht' quod distringat eos per terras etc.; ita etc. ad dictam quindenam Sancti Hillarii ad computandum etc. et ad respondendum etc. Et mandatum est dictis iusticiariis quod habeant vel mittant hic ad eandem quindenam partes indenturarum de extractis eisdem collectoribus primi anni sic liberatis vt onerari valeant per easdem partes indenturarum prout etc. et quod certificent hic quo die dictas extractas eis liberarunt. Postea predicti collectores secundi anni adiornantur vltcrius vsque a die Sancte Trinitatis in xv dies ad computandum etc.,

quem diem habent ad computandum de xv^a sicut continetur ex parte alterius rememoratoris. Et quoad predictos collectores primi anni fit executio vt prius, sicut continetur in ligea breuium de termino Pasche hoc anno, ita etc. ad dictam quindenam.

Ad quem diem predicti collectores secundi anni venerunt et computarunt de extractis predictis per quem compotum nichil debetur Regi sicut continetur in eodem compoto qui liberatur ad ingrossandum xxviii^o die Iunii, hoc anno. Ideo, quoad ipsos non fiat vlterius executio, set quoad collectores primi anni fit executio vt prius.

Memoranda Roll, L. T. R., no. 119.

Adhuc Breuia retornabilia de termino Sancti Michaelis anno xxviii^o Regis Edwardi tercii.

Cant' Rex dilectis et fidelibus suis Willelmo de Lauenham et sociis suis iusticiariis ad transgressionem et excessum operariorum, seruiencium et artificum in comitatu Cant' puniendos assignatis, salutem. Cum Iohannes de Schardelowe, Iohannes de Ellesworth et Iohannes Cheyni, nuper collectores primi anni solucionis xv^e et x^e triennialium nobis a laicis anno regni nostri Anglie xxv^{to} concessarum in comitatu predicto, computauerint ad scaccarium nostrum de primo anno solucionis xv^e et x^e predictarum et super eundem compotum non responderint de aliqua pecunie summa per eos leuata de finibus, exitibus, amerciamentis et excessibus operariorum, seruiencium et artificum predictorum, eo quod nullas extractas inde a vobis receperint pro leuacione prout tunc asserebant; ac iam acceperimus quod licet vos quasdam extractas diuersos fines, exitus, amerciamenta et excessus vsque ad non modicam pecunie summam continentes prefatis collectoribus iuxta formam statuti inde editi a diu est liberaueritis ipsique collectores fines, exitus, amerciamenta et excessus illos

plene leuauerint, iidem tamen collectores denarios illos per eos sic leuatos sibi ipsis appropriantes et in vsibus suis propriis conuertentes eos in dicto compoto suo concelarunt et nobis inde in alleuiacionem et exonerationem communitatis ¹ dicti comitatus iuxta formam concessionis nostre inde et statuti predicti nobis respondere recusarunt in curie nostre illusionem et dicte communitatis depauperacionem manifestam.

Super quo nobis est supplicatum vt festinum remedium in hac parte apponi iubere velimus. Nos tantam transgressionem si taliter fuerit perpetrata pertransire nolentes impunitam, vobis mandamus firmiter iniungentes quod si aliquas huiusmodi extractas prefatis collectoribus liberaueritis tunc de numero rotulorum et summis particularibus in eisdem rotulis contentis ac nominibus summas illas singulatim debentibus, necnon de die et anno quibus extracte ille per vos dictis collectoribus liberate fuerunt, thesaurario et baronibus de scaccario predicto apud Westmonasterium citra crastinum Sancti Nicholai proxime futurum vel tunc ad vltimum, distincte et aperte certificetis, vt habita huiusmodi certificatione vestra vlterius tam pro commodo dicte communitatis comitatus quam pro punitione dictorum collectorum fieri valeamus quod fuerit rationis. Et si forte aliquas huiusmodi extractas prefatis collectoribus non liberaueritis, tunc omnes extractas finium, exituum, amerciamentorum et excessuum huiusmodi coram vobis in sessionibus vestris in exonerationem dicte communitatis nobis adiudicatorum collectoribus tercii anni solutionis xv^e et x^e predictarum per indenturam inde iuxta formam dicti statuti conficiendam liberetis et alteras partes indenturarum illarum penes vos remansuras post confeccionem earundem mittatis ad dictum scaccarium nostrum statim post liberacionem inde predictam, vt per easdem partes indenturarum dicti collectores tercii

¹ MS. communitatus.

anni super compotum suum de eodem tercio anno in exonerationem dicte communitalis onerari valeant vt est moris. Et quid inde feceritis prefatis thesaurario et baronibus ad dictum crastinum Sancti Nicholai distincte et aperte reddatis cerciores, hoc breue tunc ibidem remittentes.

Teste G. de Wilford, apud Westmonasterium, xxii die Nouembris.

Per rotulum compotorum de taxacionibus quoad nomina predictorum collectorum et non responsum aliquius summe de finibus, exitibus, amerciamentis et excessibus operariorum, et per Originalia de predicto anno xxv^{to} quoad statutum et nomina iusticiariorum, et per barones quoad alia in breui.

Memoranda Roll, L. T. R., no. 119.

Adhuc Status et visus compotorum de termino Sancti Hillarii anno xxviii; rot. 10.

Cant' Audito compoto Iohannis de Ellesworth et Iohannis Cheyny, collectorum xv^e et x^e triennialium in comitatu Cant' de finibus, exitibus et amerciamentis seruientum, operariorum et aliorum artificum in comitatu predicto per ipsos leuatis per extractas coram Willelmo de Lauenham et sociis suis iusticiariis ad inquirendum de huiusmodi finibus, exitibus et amerciamentis seruientum, operariorum et aliorum artificum assignatis anno xxvi^{to} prefatis collectoribus per prefatos iusticiarios liberatas et de episcopo Eliensi per indenturam predictis collectoribus liberatas per manus Ricardi de Midelton, persone ecclesie de Litlebury, pro se, Iohannis de Conygdon, attornati Iohannis de Shardelowe, alterius collectoris xv^e et x^e predictarum in comitatu predicto, videlicet, de predictis finibus, exitibus et amerciamentis sic leuatis et receptis per indenturam predictam a festo Sancti Michaelis, anno xxvi^{to} vsque idem festum anno xxvii^o, habent superplusagium xvii d.

Et quia annotatur in rotulo compotorum de taxationibus in compoto, videlicet, dictorum collectorum primi anni solucionis xv^e et x^e predictarum, quod infra suam ipsorum collectorum de eisdem xv^e et x^e continentur cccvii li. xi s. vi d. de finibus, exitibus et amerciamendis seruientum et operariorum unde dicti collectores liberarunt hic quendam rotulum de particulis qui remanet in quadam бага in custodia huius rememoratoris; in quo rotulo inseritur quod predicti collectores distribuerunt predictos cccvii li. xi s. vi d. particulariter inter villatas dicti comitatus, quarum villatarum nomina et summe inde singulis ipsarum villatarum distribute et allocate plenius annotantur in eodem rotulo; et suspicatur quod eodem distributio et allocacio rite non fuerint modo quo dicti collectores inde computarunt; concordatum est quod inquiratur inde et quod Iohannes de Blockeleye et Robertus de Charwelton assignentur ad dictam inquisitionem capiendam. Et fit eis inde commissio, mandatumque est scriptum eis quod inquirant ita quod inquisitionem inde habeant est inter hic a die Pasche in xv dies. Et transscriptum dicti billas rotuli mittitur sub pede sigilli huius scaccarii prefatis de hoc Iohanni et Roberto pro informacione etc. Et precepto termino. tum est vicecomiti quod ad certos dies et loca quos etc. venire faciat coram eis xxiiii tales tam milites quam alios probos etc. de singulis villatis predictis qui etc. et quod premuniri faciat predictos collectores quod capcionibus dictarum inquisitionum intersint si etc. Et quia per extractas predictorum iusticiariorum per quas dicti collectores computarunt, vt predictum est, lxxi li. xvii s. viii d. ob. de huiusmodi finibus etc. adhuc restant leuandi in comitatu predicto sicut continetur in eisdem extractis que remanent in custodia huius rememoratoris inter particulas compotorum dictorum collectorum et de finibus predictis, nomina eodem lxxi li. xvii s. viii d. ob. debencium et singulos

eorum contingentes extrahuntur de extractis predictis per modum summonicionis innovate et mittuntur sub sigillo huius scaccarii collectoribus tercii anni solucionis xv^e et x^e predictarum, cum quodam breui huius scaccarii per quod mandatum est eisdem collectoribus quod predictos lxxi li. xvii s. viii d. ob. leuari et distribui faciant inter pauperes villatas dicti comitatus in auxilium solucionis xv^e et x^e predictarum, iuxta formam statuti etc., ita quod inde respondeant hic super compotum suum, sicut continetur alibi in hiis Memorandis inter Breuia retornabilia de hoc termino.¹

Postea, videlicet, ad dictam quindenam Pasche predicti Iohannes de Blockeleye et Robertus de Cherwalton non retornauerunt hic dictam commissionem. Ideo mandatum est eis sicut alias, ita etc. a die Sancti Michaelis in xv dies.

Ad quem diem predicti Iohannes de Blocleye et Robertus de Cherwalton non retornauerunt dictam commissionem. Ideo mandatum est eis sicut pluries, ita etc. a die Sancti Hillarii in xv dies. Ante quem diem, videlicet, xx^o die Nouembris anno xxix Regis nunc incipiente, predicti collectores tercii anni solucionis xv^e et x^e predictarum, videlicet, Iohannes de Ellesworth, Iohannes de Cheyny et Iohannes de Lyouns veniunt, et quesito ab eis si receperint extractas continentes predictos lxxi li. xvii s. viii d. ob., dicunt quod non. Super quo, Gilbertus Bernard, vnus dictorum iusticiariorum in comitatu predicto, restituit hic summonicionem predictam ob certum defectum contentum in eadem.² Et eadem summonicio liberatur prefatis collectoribus tercii anni et iniunctum est

¹ Cf. Mem. L. T. R., 28, Hill., Breu. Ret.; Cant'. A writ to the collectors of the third year, signed by de Wilford, 3 March, referring to Visus compotorum, Hill., 28th year, sends them the names of the delinquents who owed lxviii li. xv s. vii d. ob.

² Perhaps the discrepancy in the amount; cf. note 1, *supra*.

eis quod predictos lxxi li. xvii s. viii d. leuari et distribui faciant in forma predicta, ita quod inde respondeant hic super compotum suum proximum ad scaccarium de xv^a et x^a predictis in exoneracionem communitatis comitatus predicti, videlicet, in octabis Sancti Hillarii quem diem inde admiserunt sub periculo quod etc. Et quia dicti collectores dicunt quod prefati iusticiarii adhuc habent penes se diuersas extractas finium etc. nondum eisdem collectoribus liberatas, petentes deliberacionem inde sibi fieri, mandatum est prefatis iusticiariis per breue huius scaccarii cuius data est xx die Nouembris supradicto, quod omnes huiusmodi extractas penes ipsos iusticiarios adhuc remanentes prefatis collectoribus tercii anni per indenturam liberent indilate et quod partem indenture illius penes se remansuram habeant hic ad dictas octabas liberandam; quod quidem breue liberatur prefatis collectoribus tercii anni deferendum sicut continetur in Memorandis de anno xxix^o inter Visus compotorum de termino Sancti Michaelis ¹ vbi fit executio vltius inde, necnon de predicta summonicione continente lxxi li. xvii s. viii d. Set postea, videlicet, ad dictam quindenam Sancti Hillarii predicti Iohannes de Blockeleye et Robertus de Cherwalton non retornauerunt hic dictam commissionem. Ideo mandatum est eis sicut alias; ita etc. a die Pasche in xv dies. Ad quem diem predicti Iohannes de Blockele et Robertus de Charwalton non retornauerunt dictam commissionem. Ideo sicut pluries

¹ Rot. 9 d, Cant': ". . . Et iniunctum est eisdem collectoribus quod tam predictos lxxi li. xvii s. viii d. ob. . . . quam denarios contentos in extractis per ipsos collectores sic recipiendis leuari et fideliter distribui faciant inter pauperes villatas dicti comitatus iuxta formam statuti etc., ita quod inde respondeant hic ad dictas octabas Sancti Hillarii" The collectors of the third year finally account for all their arrears at a date not long after Hilary, 29th year.

(For nine successive terms similar writs are issued without result.)

rot. 10 d. Adhuc de processu tangente collectores xv et x triennialium concessarum anno xxv^{to}.

Cant' Postea quia predictus Iohannes de Blockeleye moratur in obsequio Philippe Regine Anglie et vacare non potest capcioni inquisitionum predictarum, concordatum est quod Almaricus de Shirmond assignetur loco dicti Iohannis ad dictas inquisitiones simul cum Roberto de Charwelton capiendas. Et fit eis inde commissio, mandatumque est eis quod inquiretur ita quod inquisitiones habeant in octabis Sancti Michaelis, videlicet, anno xxxii^o finiente.

Trans- Ad quem diem predicti Robertus et Almaricus non scriptum commissionem predictam; ideo mandatum est eis sicut alias, ita etc. in octabis Sancti Trinitatis anno xxxii. Michaelis anno xxxiii^o finiente.

Ad quem diem predicti Robertus et Almaricus non certificarunt. Ideo mandatum sit eis sicut pluries, ita etc. a die Pasche in xv dies. Ad quem diem predicti Robertus et Almaricus non retornauerunt commissionem predictam. Ideo mandatum est eis sicut alias, ita etc. in octabis Sancti Michaelis anno xxxiiii^{to} finiente.

Et continuato processu isto vsque a die Pasche in xv dies anno xxxvii^o Regis nunc, quo die predicti Almaricus et Robertus non certificarunt. Set comperto in quodam statuto facto ad quindenam Sancti Michaelis anno xxxvi^{to} ¹ Regis nunc quod irrotulatur in Memorandis de dicto anno xxxvii^o inter Recorda de termino Sancti Hillarii quod idem Rex per assensum magnatum et tocus communitatis ² Anglie ordinavit et concessit quod omnes denarii de

¹ *Statutes*, 36 Edw. III, st. 1, c. 14.

² MS. communitatus.

finibus, amerciamentis et aliis proficuis laborariorum de predictis tribus annis tam leuatis quam leuandis sint leuati ad opus communitalis comitatus predicti et distributi inter eandem communitatem, et quod collectores eorundem comitatum non compellantur ad computandum coram baronibus de scaccario de recepcione denariorum predictorum; ideo reuocetur commissio predicta et non fiat vlterius executio in premissis.

Memoranda Roll, L. T. R., no. 122.

Adhuc Communia de termino Pasche anno xxxi^{mo} Regis Edwardi tercii post conquestum. Adhuc Record; rot. 6.

Buk' De collectoribus xv^e et x^e triennialium concessarum anno xxv^{to} commissis prisone pro conclamento.

Memorandum quod cum Galfridus de Lucy, vnus iusticiariorum ad transgressionem et excessum operariorum, seruientum et artificum in comitatu Buk' puniendos iuxta formam statuti inde editi assignatorum, alias, videlicet, xxv^{to} die Ianuarii anno xxviii^o Regis nunc, liberauerit hic xii rotulos indentatos de finibus, excessibus, exitibus et amerciamentis huiusmodi operariorum etc. coram ipso Galfrido et sociis suis iusticiariis adiudicatis et recordatus fuerit quod liberauit contraindenturas inde Thome de Reynes, Iohanni de la Penne, Hugoni de Kynebell et Iohanni de Bergh, collectoribus xv^e et x^e triennialium Regi a laicis anno xxv^{to} in dicto comitatu Buk' concessarum, de tercio, videlicet, anno solucionis earundem, pro dictis finibus, excessibus, exitibus et amerciamentis inibi contentis leuandis in exonerationem communitalis pauperum villatarum dicti comitatus de solutione xv^e et x^e predictarum; qui quidem fines, excessus, exitus et amerciamenta ad cviii li. vi d. particulariter se extendunt sicut continetur in xii rotulis predictis et in indorsamento eorundem, qui sunt in custodia huius rememoratoris, factum est scrutinium

super responsione dictorum collectorum de finibus, excessibus, exitibus et amerciamentis predictis et compertum est quod dicti collectores termino Sancti Hillarii anno xxix^o computarunt ad scaccarium hic de xv^a et x^a predictis de dicto tercio anno solucionis earundem sicut continetur in Memorandis de eodem anno xxix^o inter Visus compotorum de eodem termino. Compertum est etiam in rotulo compotorum de taxacionibus, in compoto, videlicet, dictorum collectorum de predicto tercio anno quod ipsi collectores non respondent in eodem compoto de aliquibus finibus operariorum etc. ob causam annotatam in rotulo de particulis eiusdem compoti. Quibus quidem particulis residentibus in custodia rememoratoris Regis inspectis, inuentum est annotari in eisdem quod dicti collectores non onerant se infra summas dictarum xv^e et x^e de aliquibus denariis provenientibus de finibus, exitibus seu amerciamentis servientium, operariorum vel artificum in dicto comitatu Buk' eo quod iusticiarii ad hoc assignati sessionem suam adtunc non fecerunt in eodem comitatu super ordinacione et auisamento inter eos et alios de comunitate eiusdem comitatus ad distribuendum particulariter per villatas comitatus et burgorum tocus comitatus predicti iuxta formam, vim et effectum statuti inde editi in auxilium xv^e et x^e predictarum, vt ipsi collectores tunc per sacramentum suum asseruerunt. Et sic per scrutinium predictum euidenter apparet quod predicti collectores falso respondent super compotum predictum contra debitum sacramenti sui et in deceptionem curie maxime cum dictus iusticiarius recordatus fuerit, vt est dictum, quod liberauit dictis collectoribus rotulos predictos diu, videlicet, per vnum annum ante reddicionem compoti predicti, infra quod tempus dictam distribucionem fecisse potuerunt si voluissent; per quod pro eo quod dicti collectores pluries districti et manucapi et per huiusmodi districcionem et manucap-

cionem iusticiari non curauerant ad computandum de predictis finibus et ad respondendum de falsa responsione predicta set compotum et responsionem inde diffugerunt in contemptum Regis etc., preceptum fuit vicecomiti dicti comitatus quod attacheret ipsos collectores per corpora etc., ita quod eos haberet hic modo a die Pasche in xv dies ad audiendum iudicium suum de contemptu predicto, necnon ad computandum de predictis finibus etc.

Et ad diem illum predicti quatuor collectores veniunt et allocuti per barones super premissis non dedicunt quin receperunt de prefato iusticiario dictos rotulos de finibus etc. continentes cviii li. vi d. in forma per dictum iusticiarium superius recordata, nec quicquam allegarunt in excusacionem sui de falsa responsione predicta. Ideo ipsi quatuor collectores pro eadem falsa responsione committuntur prisone de Flete, moraturi etc. Postea inuenerunt manucaptos, videlicet, Galfridum de Lucy, Iohannem de Olneye, Willelmum de Sudbury, Radulfum Pettesho, omnes de comitatu Buk', et Thomam de Sayton de comitatu Norht', qui presentes manuceperunt habere corpora predictorum quatuor collectorum hic de die in diem et termino in terminum quousque computauerint de finibus predictis et fecerint finem cum Rege pro falsa responsione predicta, necnon satisfecerint de arreragio eiusdem compoti et fine predicto, alioquin ipsi manucaptos onerentur versus Regem de compoti arreragio et fine predictis. Et pre-textu manucapcionis illius, dicti iiii^{or} collectores de-liberantur a prisona.

Postea datus est dies dictis quatuor collectoribus hic in octabis Sancte Trinitatis ad computandum et finem faciendum, necnon ad satisfaciendum de arreragio dicti compoti et de fine predicto per manucapcionem predictam. Ad quem diem predicti iiii^{or} collectores venerunt et computarunt de finibus predictis per quem compotum

onerant se de lx li. receptis de huiusmodi finibus per dictas, videlicet, extractas continentes cviii li. vi d. De residuo vero denariorum illorum, videlicet, lxxvi li. v d. non responderunt eo quod nichil inde leuauerunt nec leuasse potuerunt propter breuitatem temporis, vt dicunt per sacramentum suum et sicut continetur in dicto compoto qui remanet penes ingrossatorem; per quod concordatum est quod extracte per quas dicti collectores reddiderunt dictum compotum liberentur Willelmo de Wellum, custodi extractarum hic in scaccario pro noua summonicione facienda de predictis lxxvi li. v d. leuandis ad opus Regis. Et super hoc extracte predictae liberantur dicto Willelmo de Wellum in forma predicta quinto die Iulii hoc anno. Et quoad predictas lx li. iidem collectores computarunt se liberasse Galfrido de Lucy et Thome de Tothewyk, iusticiariis etc., xl li. pro feodis suis per duo breuia Regis et duas acquietancias ipsorum iusticiariorum separatim de recepcione; post quam liberacionem dicti collectores debent xx li. quas quidem xx li. dicunt per sacramentum suum de assensu communitatis villatarum dicti comitatus quibus eas distribuisse debuerant soluisse Gerardo de Braibrok, Galfrido de Lucy, Alano Carbonel, Iohanni de Hameden et Ricardo de Arches nomine regardi pro laboribus et expensis ipsorum Gerardi et sociorum suorum factis circa expedicionem negociorum ipsarum villatarum, sub tali, videlicet, condicione quod si contingeret ipsos collectores impetiri ad sectam Regis vel aliorum racione predictarum xx li., quod ipsi Gerardus et socii sui responderent inde pro ipsis collectoribus et in exoneracionem eorum.

Vnde quesitum est a dictis collectoribus quibus die et anno communitas dictarum villatarum concessit et assentiuit quod solutio fieret dictis Gerardo et sociis suis de predictis xx li. et quibus die et anno eodem xx li. solute fuerunt eisdem Gerardo et sociis

suis per ipsos collectores, dicunt quod dicta communitas villatarum concessit et assensum prebuit anno xxvii^o Regis nunc quod solucio sic fieret et quod solucio illa facta fuit postmodum, videlicet, secundo die Ianuarii anno xxviii^o Regis nunc. Super quo, dicti Gerardus et Iohannes de Hameden presentes hic coram baronibus et super premissis allocuti cognoscunt se vna cum predictis Galfrido de Lucy, Alano Carbonel et Ricardo de Arches recepissee de prefatis iiii^{or} collectoribus predictas xx li. dicto secundo die Ianuarii anno xxviii^o, modo quo ipsi collectores allegarunt, asserentes ipsi Gerardus et Iohannes habere in partibus suis factum ipsarum villatarum de concessione facta eisdem Gerardo et Iohanni ac predictis Galfrido, Alano et Ricardo de eisdem xx li. Et habita deliberacione inde, quia predicti fines et excessus operariorum etc. concessi fuerunt communitati dicti comitatus in auxilium solucionis xv^e et x^e predictarum currentibus ipsis xv^a et x^a et terminus ¹ solucionis ipsarum xv^e et x^e finiebatur et cessabat ad festum Sancti Michaelis proximum ante dictum secundum diem Ianuarii anno xxviii^o, sicut continetur in rotulo de taxacionibus et in Memorandis de anno xxvi^{to} inter Recorda de termino Sancte Trinitatis ex parte rememoratoris Regis et dicti collectores nichil ostendunt per quod liquere potest curie dictas villatas recepissee de ipsis collectoribus predictas xx li., ita quod eodem villate nichil aliud habuerunt inde tempore dicte concessionis per ipsas villatas inde facte nisi accionem petendi fines et excessus predictos, accioque aliena alicui dari vel vendi non potest, consideratum est quod predicti collectores exonerentur versus Regem de predictis xx li. et quod predicti Gerardus et Iohannes de Hameden pro se et dictis sociis suis de eisdem xx li. onerentur pretextu cognicionis sue predicte et aliorum pretractis.

¹ MS. terminis.

etc.; alioquin dicti collectores respondent vna etc. Et pro dicta falsa responsione dicti collectores fecerunt finem cum Rege per xl s. Ad quos soluendos datus est eis dies in crastino Sancti Michaelis. Et preceptum est vicecomiti Buk' quod de terris et catallis predicatorum Gerardi et Iohannis de Hameden fieri faciat, ita etc. in crastino Sancti Michaelis.

Ante quem diem, videlicet, x die Iulii hoc anno, predictus Galfridus de Lucy, inuentus hic in curia et super recepcione predictarum xx li. de finibus operariorum etc. allocutus, cognoscit se vna cum prefatis Gerardo, Iohanne de Hameden, Alano Carbonel et Ricardo de Arches recepissee de prefatis collectoribus predictas xx li. supradicto secundo die Ianuarii anno xxviii^o modo quo dicti Gerardus et Iohannes de Hameden superius cognouerunt. Ideo consideratum est quod idem Galfridus oneretur versus Regem simul cum eisdem Gerardo et Iohanne de Hameden de eisdem xx li., pretextu cognicionis ipsius Galfridi supradicte. Et preceptum est vicecomiti Buk' quod fieri faciat easdem xx li. tam de eodem Galfrido quam de predictis Gerardo et Iohanne, ita etc. ad dictum crastinum Sancti Michaelis.

(*Cf.* Mem. L. T. R., 32, Mich., Status et visus compotorum; rot. 4; Bedf. and Bucks.

Facto visu compoti Iohannis de Hampden, vicecomitis, de vltimo dimidio anno xxxi^o oneratur per curiam de . . . et debet xx li. de precio catallorum Gerardi de Braybrok, Iohannis de Hameden et Galfridi de Lucy per ipsum vicecomitem captorum in manum Regis pro tot denariis quos ipsi Gerardus, Iohannes et Galfridus receperunt de Thoma de Reynes et sociis suis¹

¹The sheriff was therefore levying a portion of this money on himself; *cf.* pt. I, ch. i, s. 7.

Memoranda Roll, L. T. R., no. 122.

Adhuc Communia de termino Sancte Trinitatis anno xxxi^o Regis Edwardi tercii. Adhuc Recorda, rot. 5.

Ebor' Westrithyng. De Iohanne de Rotherfeld et Willelmo de Beston collectoribus⁷ tercii anni solucionis xv^e et x^e commissis prisone pro falso compoto.

Iohannes de Bukyngham, nuper thesaurarius garde—robe Regis, alias, videlicet, xv die Marcii anno xxx^o Regis nunc, liberauit thesaurario et baronibus hic quandam billam quam dicit porrectam fuisse domino Regi, et ipsum Regem per manus suas proprias eam sibi liberasse deferendam ad scaccarium hic precepisseque execucionem fieri super contentis in eadem billa que est inter billas et petitiones de termino Sancti Hillarii dicto anno xxx^o. Et in qua billa inter cetera continetur quod Ricardus de Goldesburgh, Iohannes de Rotherfeld et Willelmus de Beston qui fuerunt collectores xv^e et x^e triennialium Regi a laicis anno xxv^{to} concessarum in partibus de Westrithyng in comitatu Ebor', videlicet, de tercio anno solucionis earundem, integre receperunt excessus operariorum in partibus illis et inde computarunt ad scaccarium quod soluerunt villatis parcium illarum excessus illos in auxilium solucionis xv^e et x^e predictarum vbi nullum denarium inde eis soluerunt, prout apporcionacio inde facta fuit per iusticiarios etc. et sic excessus ille adhuc remanet in manibus ipsorum collectorum dictis villatis inde nondum satisfacto.

Pretextu cuius bille factum est scrutinium etc. et compertum est in rotulo compotorum de taxacionibus, in compoto, videlicet, Ricardi de Goldesburgh, Iohannis de Rotherfeld et Willelmi de Beston nuper collectorum xv^e et x^e predictarum de tercio, videlicet, anno solucionis earundem, quod ipsi collectores onerarunt se et responderunt infra summas oneris sui de eisdem xv^a et x^a de xlv li. xvii s. xi d. q^a. de finibus, exitibus et amer-

ciamentis et excessibus operariorum, seruientum et artificum etc.

Compertum est eciam in Memorandis de anno *xxix*^o Regis nunc inter Visus compotorum de termino Sancti Hillarii quod dicti tres collectores venerunt hic ad quindenam Pasche eodem anno *xxix*^o et computarunt de predictis finibus operariorum etc.; qui quidem compotus remanet in custodia huius rememoratoris inter particulas dicti compoti et in quo compoto^{xx} continetur quod ipsi collectores onerarunt se de *iiii* *iiii* li. *iiii* s. vii d. q^a. receptis de huiusmodi finibus etc. et quod inde computarunt se soluisse Willemo de Fyncheden, Willemo de Mirifeld et Iohanni de Northland, iusticiariis ad excessus dictorum operariorum etc. puniendos assignatis, *xxxviii* li. viii d. proporcionaliter pro feodis suis et quod residui *xl* li. xvii s. xi d. q^a. distribuuntur inter villatas et hameletta de Westrithyng per visum dictorum iusticiariorum per ipsos collectores et per xii probos homines de comitatu predicto iuratos, in auxilium dictarum xv et x vbi maius necesse erat; de qua distribucione ipsi collectores non ostenderunt acquietancias siue indenturas villatarum vel hamelettorum.

Quibus compertis, quia per naturam compoti quolibet solucio denariorum fieri debet de iure per acquietancias vel per indenturas super huiusmodi compotis liberandas et allocandas, et dicta solucio siue distribucio de predictis *xl* li. xvii s. xi d. q^a. fit sine huiusmodi acquietanciis vel indenturis, vt apparet per premissa, suspicatur quod dicti collectores non soluerunt dictis villatis et hamelettis eisdem *xl* li. xvii s. xi d. q^a., modo quo computarunt etc., per quod et pro eo quod dicti duo collectores, videlicet, Iohannes de Rotherfeld et Willemus de Beston pluries districti et manucapti veniendi hic ad plures dies preteritos ad recitandum compotum suum de finibus predictis etc. et per huiusmodi distric-

cionem et manucapcionem se iusticiari non curauerant, preceptum fuit vicecomiti dicti comitatus quod attachiaret ipsos Iohannem et Willelmum per corpora eorum etc., ita quod eos haberet hic modo in crastino Sancti Iohannis Baptiste ad audiendum iudicium etc. et ad recitandum dictum compotum etc., et quod interim caperet in manum Regis terras et catalla ipsorum duorum collectorum nomine districcionis. Pro eo eciam quod dictus vicecomes alias retornauerat quod predictus Ricardus de Goldesburgh nichil habet etc., preceptum fuit vicecomiti quod caperet ipsum Ricardum, ita etc., ad dictum crastinum ad recitandum dictum compotum, vna etc.

Et ad diem illum vicecomes retornauit quod predicti tres collectores non sunt inuenti etc. et quod cepit in manum Regis terras et catalla ipsorum Iohannis et Willelmi quorum terrarum et catallorum valor patet in eodem returno; et iidem Iohannes et Willelmus venerunt et predictus Ricardus non venit et dicti Iohannes et Willelmus super premissis allocuti dicunt quod de predictis xlv li. xvii s. xi d. q^a. distribuerunt per superuisum dictorum iusticiariorum diuersis villatis de Westrithyng lxxi s. tantum; de qua distribucione dicunt se non cepisse aliquas acquietancias vel indenturas de villatis quibus distribucio illa fiebat preterquam de xv s. tantum, vnde ostendunt tres indenturas que sunt inter billas de hoc termino, set dicunt sub periculo quod etc. quod iidem lxxi s. fideliter distribuuntur iuxta formam ordinacionis predicte absque eo quod iidem lxxi s., vel aliqua pars inde, remanent penes ipsos Iohannem et Willelmum vel eorum alterum, et hoc pretendunt verificare.

Dicunt eciam quod xxii li. xvii s. ii d. de summa predicta adhuc remanent penes dictum Ricardum de Goldesburgh nondum distributi absque eo quod iidem xxii li. xvii s. ii d. vel quicquam inde aliquialiter deuenit

ad manus ipsorum Iohannis et Willelmi vel alterius eorum. Cognoscunt vltcrius ipsi Iohannes et Willelmus quod adhuc habent in custodia sua residuum dicte maioris summe, videlicet, xix li. ix s. ix d. q^a. nondum distributos iuxta ordinacionem predictam. Vnde submitunt se gracie Regis, asserentes se habere in promptu eosdem xix li. ix s. ix d. q^a. soluendos domino Regi vel alibi iuxta ordinacionem curie.

Quibus visis et intellectis, quia dicti Iohannes et Willelmus tempore quo admissi fuerunt ad dictum computum reddendum prestiterunt sacramentum de fideliter computando et de petendo nullam allocacionem nisi bonam et veram in premissis ipsique Iohannes et Willelmus simul cum dicto Ricardo de Goldesburgh pecierunt et admiserunt super eundem computum allocacionem de predictis xlv li. xvii s. xi d. q^a. integris quos asserebant se tunc distribuisset quamquam nisi lxxi s. inde distribuissent prout iam cognoscunt, retinendo penes se residuum, videlicet, xlii li. vi s. xi d. q^a. non distributos, contra debitum sacramenti sui et in depauperacionem villatarum predictarum ac contra formam statuti inde et in decepcionem curie etc.; consideratum est quod iidem Iohannes et Willelmus pro falsitate predicta adeant prisonam et quod dictus Ricardus capiatur, tamque idem Ricardus quam dicti Iohannes et Willelmus onerentur versus Regem de predictis xlii li. vi s. xi d. q^a. pretextu premissorum. Et super hoc predicti xi d. q^a. Iohannes et Willelmus committuntur prisone de Flete, moraturi quousque etc.

Et preceptum est vicecomiti quod capiat dictum Ricardum de Goldesburgh, ita etc. in crastino Sancti Michaelis.

Ante quem diem, videlicet, xxviii^o die Iunii hoc termino, venerunt hic coram baronibus Elyas de Byrton, Iohannes de Drouefeld, Willelmus de Fincheden et

¹ Crossed through in MS.

Flete ¹

xlii li.

vi s.

xi d. q^a.

Thomas de Podeseye, omnes de predicto comitatu Ebor' et manuceperunt, quilibet videlicet eorum, corpus pro corpore habere corpora predictorum Iohannis de Rotherfeld et Willelmi de Beston coram baronibus hic de die in diem durante hoc término Sancte Trinitatis ad satisfaciendum Regi de predictis xlii li. vi s. xi d. q^a. et ad faciendum finem cum Rege pro falsitate predicta ac ad recipiendum¹ quod curia consideret de predictis lxxi s. Et pretextu manucapcionis predictæ, dicti duo collectores interim deliberantur a prisa predicta.

Postea dicti collectores soluerunt predictos xlii li. vi s. xi d.² per duas tallias leuatas xxvii die Iunii hoc anno quas ostenderunt. Et postmodum, videlicet, primo die Iulii hoc termino, predicti Iohannes de Rotherfeld et Willelmus de Beston fecerunt finem cum Rege pro transgressione predicta per xx li., salua eis accione versus dictum Ricardum inde si que etc. et eo minus quia dicti xlii li. vi s. xi d. q^a. tempore quo ipsi collectores eos leuauerant et receperant non pertinuerunt ad Regem, set ad villatas dictarum parcium de West-rithyng quibus concessi erant per Regem in auxilium solucionis xv^e et x^e triennalium Regi a laicis concessarum anno xxv^{to} concurrentibus eisdem xv^a et x^a; que quidem villate habent accionem in euentu petendi a dictis collectoribus dampna sua pro detencione denariorum illorum hucusque, et qui quidem denarii pro eo quod dicte xv^a et x^a adiu est cessabant et solucio inde tempore debito facta non fuerat, pertinent ad Regem, sicut continetur in statuto inde edito dicto anno xxv^{to}.³

Et datus est dies predictis Iohanni de Rotherfeld et Willelmo de Beston hic die Martis proximo post octabas Sancti Iohannis Baptiste per manucapcionem predictorum Willelmi de Fyncheden et Elie de Birton, qui presentes manuceperunt habere corpora ipsorum Iohan-

¹ MS. ac receperint.

² MS. omits the farthing this time.

³ App., 16.

nis et Willelmi vnacum predictis xx li. hic ad dictum diem Martis, alioquin ipsi manucaptiores onerentur simul cum ipsis collectoribus de eisdem xx li. Et quoad predictos lxxi s. de finibus etc. quos dicti collectores dicunt se distribuisse et vnde iidem collectores liberarunt curie tres partes indenturarum continentes xv s. tantum, sicut supra continetur, receptos de ipsis collectoribus, videlicet, per villatam de Shelf vi s. vi d., villatam de Wodestun xl d. et villatam de Queldale v s. de finibus predictis, asserentes ipsi collectores se distribuisse et liberasse residuos lvi s. villatis sequentibus particulariter, videlicet, villate de Beston iiii s., villate de Brightlynton v s., villate de Podeseye v s., villate de Hundesworth iiii s., villate de Rauclyf x s., villate de Batelaye iiii s., villate de Morleye x s., villate de Sutton x s. et villate de Birton iiii s.; datus est dies eisdem Iohanni de Rotherfeld et Willelmo de Beston hic a die Sancti Michaelis in xv dies ad ostendendum indenturas ipsarum villatarum testificantes quod receperunt de eisdem collectoribus particulariter predictos lvi s. per manucapcionem Elie de Birton, Iohannis de Holand, Thome de Podeseye et Hugonis de Wombewell de comitatu Ebor'; qui presentes manuceperunt pro predictis duobus collectoribus quod ipsi liberabunt hic ad dictam quindenam acquietancias siue indenturas villatarum predictarum de predictis lvi s., alioquin ipsi manucaptiores teneantur Regi simul cum dictis duobus collectoribus in eisdem lvi s. tunc Regi soluendis. Et quoad predictas xx li. predicti collectores venerunt hic ad dictum diem Martis proximum post octabas Sancti Iohannis Baptiste et non soluerunt easdem xx li.; set eadem summa assignatur Nicholao Maryns et tallia inde leuatur sub nominibus ipsorum collectorum quinto die Iulii hoc anno, quam talliam dictus Nicholaus ostendit et de cuius assensu datus est dies dictis collectoribus hic in festo Natiuitatis beate Marie ad soluendum eidem

Nicholao predictas xx li. quem diem dicti collectores admiserunt sub periculo quod etc. et per manucapcionem predictorum Willelmi de Fyncheden et Elie de Birton.

Postea predicti collectores soluerunt predictas xx li. et inde Hugo de Appleby dictam talliam ex parte dictorum collectorum ostendit. Et ad dictam quindenam Sancti Michaelis predicti Iohannes de Rotherfeld et Willelmus de Beston, collectores, venerunt et liberarunt curie hic ix acquietancias continentes lvi s. et dicunt per sacramentum suum se bene et fideliter distribuisset et liberasse eosdem lvi s. particulariter villatis in dictis acquietanciis contentis prout eedem acquietancie testantur, que quidem acquietancie sunt in бага de particulis compoti dictorum collectorum de finibus operariorum supradictorum. Ideo tam ipsi collectores quam predicti manucaptores sui recedant inde quieti, nisi aliud etc.

4. *Accounts of Collectors of the Triennial of 1352.*¹ (Cf. pt. I, ch. iii, I, B, especially c.)

A table of figures taken from Enrolled Subsidies.

Extracts from Accounts, K. R., Enrolled Subsidies and Lay Subsidies.

INTRODUCTORY NOTE.

Enrolled accounts, known as Enrolled Subsidies; a complete series giving the date of the collections, the names of the collectors, and the totals of the tax as well as the totals of the penalties for each county.

Original accounts, known as Lay Subsidies; by no means a complete series; but each account in existence gives full details of both tax and penalties, district by district within the county.

Manuscript list called "Descriptive Slips;" attempts to give the date and a brief summary of the nature of the account.

¹ It has been pointed out in pt. i, ch. iii, s. I, A., that the accounts of the collectors of the grant of 1348 contain no reference to the penalties.

Hunter's Inventories, printed in *R. D. K.*, ii, app. ii, 165-167, iii, app. ii, 99, show some instances for the grant of 1352 where the penalties under the statutes of labourers are noted as "allowances," and the "Descriptive Slips" show more such instances; but an exhaustive examination of this whole series revealed many more occasions where the penalties are recorded in the accounts, or at least referred to, than is indicated either by Hunter or by the "Descriptive Slips." Further, in many cases where the heading of the original account is torn away and the date and the names of the collectors thus destroyed, the makers of the "Descriptive Slips" have been able to assign the account to a given subsidy only by the nature of the grant or by the character of the handwriting. It is possible, however, by noting references to the application of penalties and by a comparison with the totals of penalties given in Enrolled Subsidies to date the account with absolute correctness. This series also includes many subsidiary documents, such as writs and receipts for the payment of justices' wages, as well as memoranda of the apportionment of the penalties.

There have been references by various modern writers to the disposition of the penalties;¹ but, except by Hunter, these accounts do not seem to have been thoroughly examined until Mr. J. F. Willard, while working on methods of taxation in the fourteenth century, went through this whole series some months before I reached London. He had himself intended to print some of these accounts, but with great generosity he has allowed me to use them instead, and has lent me his figures with which to check mine.

In the following pages I give a table, based on Enrolled Subsidies, 14, of the totals of both tax and penalties, county by county, supplemented by information from Lay Subsidies. I also print a series of extracts from all the original accounts in Lay Subsidies and in Accounts, Exchequer, K. R., where a detailed comparison of the tax and penalties district by dis-

¹ Gasquet, *Great Pestilence*, quoted pt. 1, ch. iii, s. 1, B, a and b; Powell, *East Anglia Rising*, 2; Stubbs, *Const. Hist.*, ii, 434.

trict within the county can be made—in 28 instances out of a possible 135. The asterisk indicates those accounts that appear in the “Descriptive Slips” as of uncertain date, and that I have been able to date with absolute certainty—six in all. To these must be added two others which are not represented in my extracts: 158/21, Northumberland, is assigned by “Descriptive Slips” to the 3rd collection of the grant of the 22nd year, but the familiar formula of “no estreats of penalties under the statutes of labourers,” added at the end, proves conclusively that it is the grant of the 25th year; 211/25, York, N. R. is assigned to the 2nd collection of the grant of the 25th year by character only; a similar formula at the end puts the matter beyond doubt.

In printing these extracts I give the full heading of the first tax printed, that for Bedford, and after that only the names of the collectors, unless, as sometimes happens, the phraseology of the heading differs from that usually found; I print the tax first in each case and the apportionment second, even when this is not the original sequence. The references, unless otherwise specified, are to Lay Subsidies; the Roman numerals refer merely to the order in my list.

A table of figures taken from Enrolled Subsidies, 14.

TRIENNIAL GRANT OF 1352. 25 EDW. III.

	Collec- tion.	Tax.					Penalties.				
		l.	s.	d.	ob.	q.	l.	s.	d.	ob.	q.
Bedford	1	674	17	4	0	1	82	16	7	0	0
	2	674	17	4	0	1	10	2	9	0	0
	3	674	7	7	0	1	68	5	0	1	0
	Total	2024	2	3	1	1	161	4	4	1	0
Berks.	1	1036	3	9	0	0	362	16	4	0	0
	2	1036	3	9	0	0	300	13	10	0	0
	3	1036	3	9	0	0	99	0	12	0	0
	Total	3108	11	3	0	0	762	11	2	0	0
Bucks.	1	688	5	4	0	0	344	2	8	0	0
	2	688	5	4	0	0	Apportionment not made by justices.				
	3	688	5	4	0	0					
	Total	2064	16	0	0	0	344	2	8	0	0
Cambridge	1	1011	10	6	1	0	307	11	6	0	0
	2	1011	10	6	1	0	No estreats.				
	3	1011	10	6	1	0					
	Total	3034	11	7	1	0	103	6	3	1	0
Cornwall	1	478	17	9	0	0	No estreats.				
	2	478	17	9	0	0					
	3	478	17	9	0	0	No estreats.				
	Total	1436	13	3	0	0					
Cumberland	1	249	4	5	0	1	No sessions.				
	2	249	4	5	0	1					
	3	249	4	5	0	1	No estreats.				
	Total	747	13	3	1	1					
Derby	1	471	3	4	0	1	No estreats.				
	2	471	3	4	0	1					
	3	471	3	4	0	1	Penalties only enough for justices' wages.				
	Total	1413	10	0	1	1					

TRIENNIAL GRANT OF 1352.—*Continued.*

	Collec- tion.	1.	Tax.				Penalties.			
			s.	d.	ob.	q.	1.	s.	d.	ob. q.
Devon	1	953	15	0	0	0	No estreats.			
	2	953	15	0	0	0	140	13	10	0 0
	3	953	15	0	0	0	{ 1. Unable to levy penalties. 2. No estreats.			
	Total	2861	5	0	0	0	140	13	10	0 0
Dorset	1	851	9	0	1	0	No estreats.			
	2	851	9	0	1	0	11	0	14	0 0
	3	851	9	0	1	0	141	14	0	0 1
	Total	2554	7	1	1	0	152	15	2	0 1
Essex	1	1234	14	7	0	1	675	11	0	0 0
	2	1234	14	7	0	1	56	14	11	0 0
	3	1234	14	7	0	1	222	14	1	0 0
	Total	3704	3	9	1	1	955	0	0	0 0
Gloucester	1	1642	0	7	0	0	No estreats.			
	2	1642	0	7	0	0	Excuse illegible.			
	3	1642	0	7	0	0	101	15	7	0 0
	Total	4926	1	9	0	0	101	15	7	0 0
Hereford	1	437	5	7	0	0	No estreats.			
	2	437	5	11	0	0	51	9	0	0 0
	3	437	5	11	0	0	No estreats.			
	Total	1311	17	5	0	0	51	9	0	0 0
Herts.	1	610	3	6	1	1	138	4	2	0 0
	2	610	3	6	1	1	12	1	11	0 0
	3	610	3	6	1	1	50	10	2	0 0
	Total	1830	10	8	0	1	200	16	3	0 0
Hunts.	1	444	7	10	1	1	Delay granted.			
	2	444	7	10	1	1				
	3	444	7	10	1	1				
	Total	1333	3	8	0	1	43	5	0	0 0

TRIENNIAL GRANT OF 1352.—*Continued.*

	Collec- tion.	Tax.					Penalties.				
		l.	s.	d.	ob.	q.	l.	s.	d.	ob.	q.
Isle of Wight	1	153	2	3	0	0					
	2	153	2	3	0	0					
	3	153	2	3	0	0	8	12	0	0	0
	Total	459	6	9	0	0	8	12	0	0	0
Kent	1	1927	6	11	1	0	133	6	8	0	0
	2	1927	6	11	1	0	58	12	3	1	1
	3	1927	6	11	1	0	11	19	11	0	0
	Total	5782	0	10	1	0	203	18	10	1	1
Lancaster	1	377	9	5	1	0					
	2	377	9	5	1	0	No estreats.				
	3	377	9	5	1	0	*203	14	11	0	0
	Total	1132	8	4	1	0	203	14	11	0	0
* For three years.											
Leicester	1	757	12	10	1	0	No estreats.				
	2	757	12	10	1	0	47	2	4	1	0
	3	757	12	10	1	0	156	0	12	0	0
	Total	2272	18	7	1	0	203	3	4	1	0
Lincoln, H.	1	665	11	8	0	0	No estreats.				
	2	665	11	8	0	0	62	8	8	0	0
	3	665	11	8	0	0	Penalties not even enough for justices' wages.				
	Total	1996	15	0	0	0	62	8	8	0	0
Lincoln, K.	1	953	9	4	0	0	No estreats.				
	2	953	9	4	0	0	28	11	10	0	0
	3	953	9	4	0	0	105	19	11	1	0
	Total	2860	8	0	0	0	134	11	9	1	0
Lincoln, L.	1	1526	2	11	1	0	No estreats.				
	2	1526	2	11	1	0					
	3	1526	2	11	1	0	569	14	9	0	0
	Total	4578	8	10	1	0	569	14	9	0	0

TRIENNIAL GRANT OF 1352.—*Continued.*

	Collec- tion.	l.	Tax.				Penalties.				
			s.	d.	ob.	q.	l.	s.	d.	ob.	q.
London	1	733	6	8	0	0					
	2	733	6	8	0	0					
	3	733	6	8	0	0	No estreats.				
	Total	2200	0	0	0	0					
Middlesex	1	341	19	7	0	1	146	4	10	0	0
	2	341	19	7	0	1	11	9	6	0	0
	3	341	19	7	0	1	2	2	11	1	0
	Total	1025	18	9	1	1	159	17	3	1	0
Newcastle on Tyne	1	133	6	8	0	0					
	2	133	6	8	0	0					
	3	133	6	8	0	0	13	7	0	0	0
	Total	400	0	0	0	0	13	7	0	0	0
Norfolk	1	3485	16	7	0	0	206	2	11	0	0
	2	3485	16	7	0	0	40	9	9	0	0
	3	3485	16	7	0	0	162	4	3	0	0
	Total	10457	9	9	0	0	408	16	11	0	0
Northants.	1	1161	0	6	0	1	No estreats.				
	2	1161	0	6	0	1	No estreats.				
	3	1161	0	6	0	1	38	14	5	0	0
	Total	3483	1	6	1	1	38	14	5	0	0
Northumberland	1	333	10	7	1	0	No estreats.				
	2	333	10	7	1	0	No estreats.				
	3	333	10	7	1	0	No estreats.				
	Total	1000	11	10	1	0					
Notts.	1	706	2	3	0	1	No estreats.				
	2	706	2	3	0	1	Promise to account				
							next year.				
	3	706	2	3	0	1	42	6	9	0	0
	Total	2118	6	9	1	1	42	6	9	0	0

TRIENNIAL GRANT OF 1352.—*Continued.*

	Collec- tion.	Tax.					Penalties.				
		l.	s.	d.	ob.	q.	l.	s.	d.	ob.	q.
Oxford	1	1403	8	6	0	0	242	11	3	0	0
	2	1403	8	6	0	0	91	3	8	0	0
	3	1403	8	6	0	0	80	9	4	0	0
	Total	4210	5	6	0	0	414	4	3	0	0
Rutland	1	215	18	6	1	0	No estreats.				
	2	215	18	6	1	0	No estreats.				
	3	215	18	6	1	0	Penalties only enough for justices' wages.				
	Total	647	15	7	1	0					
Shropshire	1	644	12	0	0	1	No estreats.				
	2	644	12	0	0	1	No estreats.				
	3	644	12	0	0	1	No estreats.				
	Total	1933	16	0	1	1					
Somerset	1	1357	19	2	1	0	No estreats.				
	2	1357	19	2	1	0	267	12	7	0	0
	3	1357	19	2	1	0	135	4	3	0	0
	Total	4073	17	7	1	0	402	16	10	0	0
Southampton	1	1187	16	2	1	1	1. No estreats. 2. Had not levied penalties.				
	2	1187	16	2	1	1					
	3	1187	16	2	1	1	No estreats.				
	Total	3563	8	8	0	1	40	2	6	0	0
Stafford	1	575	18	3	1	1	146	10	2	0	0
	2	575	18	3	1	1	No estreats.				
	3	575	18	3	1	1	No estreats.				
	Total	1727	14	11	0	1	146	10	2	0	0
Suffolk	1	1439	5	0	1	1	No estreats.				
	2	1439	5	0	1	1	22	3	4	0	0
	3	1439	5	0	1	1	125	2	10	1	1
	Total	4317	15	2	0	1	147	6	2	1	1

TRIENNIAL GRANT OF 1352.—*Continued.*

	Collec- tion.	l.	s.	d.	ob.	q.	Penalties.				
	1	584	5	9	1	1	l.	s.	d.	ob.	q.
							Penalties not even enough for justices' wages.				
Surrey	2	584	5	9	1	1	No estreats.				
	3	584	5	9	1	1	9	6	3	0	0
	Total	1752	17	5	0	1	9	6	3	0	0
Sussex	1	1104	7	8	1	0	No estreats.				
	2	1104	7	8	1	0	No estreats.				
	3	1104	7	8	1	0	No estreats.				
Total		3313	3	1	1	0					
Warwick	1	841	18	0	0	0					
	2	841	18	3	1	1	45	9	2	0	0
	3	841	18	3	1	1	90	10	1	0	0
Total		2525	14	7	1	0	135	19	3	0	0
Westmoreland	1	190	15	7	0	1	No estreats.				
	2	190	15	7	0	1	No estreats.				
	3	190	15	7	0	1	No estreats.				
Total		572	6	9	1	1					
Wilts.	1	1595	13	7	1	1	No estreats.				
	2	1595	13	7	1	1	Excuse referred to but not given.				
	3	1595	13	7	1	1	280	9	5	0	0
Total		4787	0	11	0	1	280	9	5	0	0
Worcester	1	502	17	10	1	0	Estreats delivered too late.				
	2	502	17	10	1	0	57	7	10	0	0
	3	502	17	10	1	0	14	3	4	0	0
Total		1508	13	7	1	0	71	11	2	0	0
York, E. R.	1	1053	13	0	0	0					
	2	1053	13	0	0	0	44	15	10	0	0
	3	1053	13	0	0	0	137	12	6	0	0
Total		3160	19	0	0	0	182	8	4	0	0

TRIENNIAL GRANT OF 1352.—*Concluded.*

	Collec- tion.	1.	s.	d.	ob.	q.	Penalties.				
							1.	s.	d.	ob.	q.
York, N. R.	1	616	13	9	0	0	No estreats.				
	2	616	13	9	0	0	No estreats.				
	3	617	13	9	0	0	15	13	7	0	0
	Total	1851	1	3	0	0	15	13	7	0	0
York, W. R.	1	738	10	8	1	0	No estreats.				
	2	738	10	8	1	0	258	4	6	0	1
	3	738	10	8	1	0	45	17	11	0	1
	Total	2215	12	1	1	0	304	2	5	1	0
City of York	1	162	0	0	0	0	No estreats.				
	2	162	0	0	0	0					
	3	162	0	0	0	0					
	Total	486	0	0	0	0					
Total tax.						Total penalties. ¹					
	1.	s.	d.	ob.	q.	1.	s.	d.	ob.	q.	
	114,767	5	2	0	0	7747	14	2	1	1	
Tax for single year.											
	38,255	15	0	1	1						

¹ I am indebted to Mr. J. E. G. Bryant for verifying the totals.

Extracts from Accounts, K. R., Lay Subsidies and Enrolled Subsidies.

I. Bedford. First collection.

71/25

Bed' Particule compoti Willelmi Mordaunt, Roberti Dyper, Simonis Loryng, et Iohannis Creuker, collectorum xv^{me} et x^{me} triennalium Regi a laicis concessarum anno xxv^{to} in comitatu Bed' de primo anno solucionis earundem xv^{me} et x^{me}.

Tax

Hundredum de Bereford.

Villata de Eton	x li. xii s.
Villata de Wyboldeston	viii li. vii s. i d. ob.

Hundredum de Clifton.

Villata de Shefford cum Camelton	vii li. iii s. iii d.
Villata de Henlowe	vi li. ix s. i d.
Villata de Clifton	iiii li. iii s. viii d. ob.
Villata de Mepershale	c s. viii d.
Villata de Stotfold	vi li. xii s. x d.

71/28

Particule Willelmi Mordaunt [etc.] ¹ . . . in comitatu Bed' de denariis liberatis diuersis villatis et burgis comitatus predicti in subuencionem xv^e et x^e de denariis prouenientibus de finibus, exitibus et amerciamentis seruientium, operariorum et aliorum artificum in comitatu predicto, videlicet, cuilibet ville vt inferius.

Appor-
tionment

De quibus computantes liberauerunt subcollectoribus villatarum subscriptarum per porciones iuxta ordinacionem de communi consilio factam.

¹ Names the same as in 71/25.

Subcollectoribus de Shefford cum Camelton per indenturas

vt supra xvii s. vii d. ob. q^a.

Subcollectoribus villate de Henlowe per indenturas

vt supra xvii s. i d. q^a.

Subcollectoribus villate de Clifton per indenturas

vt supra x s. iii d. ob.

Subcollectoribus de Mepershal per indenturas

vt supra xii s. iiii d. ob.

Subcollectoribus de Stotfold per indenturas

vt supra xvi s. iii d. ob.

Subcollectoribus villate de Eton per indenturas

vt supra xxvi s. ob.

Subcollectoribus villate de Wybodeston per indenturas

vt supra xx s. vi d.

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II. Berks. First collection.

73/33

^{xx}

Apporcinacio de ccciiii vi li. iii s. denariorum emergencium de excessibus et finibus seruientium, operariorum, victualiariorum, artificum, diuersarum villatarum comitatus Berk' a xv die Marcii anno regni Regis Edwardi tercii post conquestum vicesimo quinto per vnum annum integrum, facta apud Wane-tyng anno regni domini Regis nunc vicesimo sexto coram Radulfo de Grey et sociis suis iusticiariis ad statutum de seruientibus, laborariis, victualariis et artificibus editum in comitatu Berk'¹ predicto conseruandum assignatis, per sacramentum Willelmi Ninon et sociorum suorum collectorum decime et quintedecime domino Regi a laicis in comitatu predicto concessarum, et per sacramentum Ricardi Herebard, Thome Gereberd, Roberti de Worth, Iohannis Southbury, Nicholai Payn, Ricardi Persone, Walteri de Norton, Iohannis Dalron, Iohannis Crook, Ingelrami Rossel, Willelmi Harewell, Alexandri Apsolon, Wil-

¹ MS. Bek'.

Ielmi de Latton, Roberti de Malkeneye, Walteri de la Ryuere, Iohannis Marie, Willelmi Saunford, Philippi Rioth, Iohannis de Buden, Henrici Kersy, Willelmi Baron, Willelmi Ward, Willelmi Rossel, Gilberti Vyel, Thome de Stok, Iohannis atte Chaumbre, Radulfi de Tyle, Iohannis Fraunkeleyn, Roberti de Schiplak et Gilberti de Benham de omnibus hundredis tocius comitatus predicti per communitatem tocius comitatus predicti ad hoc electorum et ordinatum, et per ausamentum iusticiariorum predictorum; que quedam apporcinacio facta est modo

subscripto, videlicet, de predictis ^{xx}cciiii vi li. iii s. subtrahuntur pro vadiis Radulfi de Grey, vnus iusticiarii, pro xl diebus hoc anno xiii li. vi s. viii d. et pro vadiis Iohannis Loueday, alterius iusticiarii, pro xl diebus eodem anno x li. Summa xxiii li. vi s. viii d. et sic remanent de summa predicta cclxii li. xvi s. iii d.; que quedam summa diuiditur in diuersis villatis et hamelettis in comitatu predicto in alleuiacionem decime et quintedecime predictarum in forma que sequitur, videlicet:

Hundredum de Farnden.

Farndon	lx s.
Westbroke	xxx s.
Langeford	viii s. vi d.
Parua Farnden	v s. viii d. ob. q ^a .
Schulton	ix s. vi d.
Magna Kokeswell et Parua Kokeswell	xvi s.

Summa vi li. ix s. viii d. ob. q^a.

(Cf. with the tax for the same district given in 73/32 for the second collection.¹)

(At end of roll:)

Rotulus de particulis denariorum liberatorum diuersis villatis

¹It is to be remembered that the amount of the tax with very few and very slight exceptions remains the same.

et burgis in comitatu Bark' per collectores xv^e et x^e predic-
tarum in comitatu predicto in subuencionem xv^e et x^e predic-
tarum.

Quia omnes villate et hamelette predictæ ob defectum tenen-
cium et agriculture depauperantur et sic summa predicta de
ccclxii li. xvi s. iiii d. apporcionantur in villis et hamelettis
predictis secundum maius et minus prout eis indigebat secun-
dum quod talis summa paupertati et necessitati earum exten-
dere potuit.

III. Berks. Second collection.

73/32.

Apporciacio de ccclxx li. xiii s. x d. denariorum emergen-
tium de excessibus, finibus et amerciamentis seruientium,
operariorum, victualariorum et artificum diuersarum villatarum
in comitatu Berk' a xv^e die Marcii anno regni Regis Edwardi
tercii post conquestum vicesimo sexto per vnum annum inte-
grum et ex tunc vsque festum Sancti Michaelis tunc proxime
sequens, facta coram Radulfo de Grey et sociis suis iusticiariis
ad statutum et ordinacionem de seruientibus, laborariis, victual-
ariis et artificibus edita in comitatu predicto conservanda
assignatis, per sacramentum Iohannis de Beckote, Ade atte
Wyke, Roberti Fynk, Willelmi Noroun, Ade atte Castel, Iohan-
nis Northern, Iohannis Marie, Iohannis de Latton, Nicholai de
la Croys, Walteri de la Ryuere, Roberti Arthur, Rogeri Loue-
kyn, Philippi Ryot, Iohannis de Buden, Edwardi Giffard, Ri-
cardi Bot, Iohannis Cleet, Iohannis de Somerford, Willelmi
Barfot, Ricardi Boton, Willelmi Baroun, Gilberti Benham,
Roberti Crokford, Iohannis Sonynghull et Roberti Sheplake de
omnibus hundredis tocus comitatus predicti per communitatem
tocus comitatus predicti ad hoc electorum et ordinatorum et
per sacramentum collectorum x^e et xv^e in comitatu predicto et
per ausamentum iusticiariorum predictorum; que quidem ap-
porciacio facta est modo subscripto, videlicet, de predictis ccclxx
li. xiii s. x d. subtrahuntur pro vadiis iusticiariorum per tempus

predictum lxx li. Et sic remanent de summa predicta ccc li. xiii s. x d.; que quidem summa diuiditur in diuersis villatis et hamelettis in comitatu predicto in aleuiacionem x^e et xv^e predictarum in forma que sequitur, videlicet:

Tax.¹

Hundredum de Farndon.

Farndon de x ^a et xv ^a	xv li. xi s. xi d. q ^a .
Westbrok	x li. xvi s. v d.
Inglesham	lxxiiii s. viii d. q ^a .
Langeford	vii li. q ^a .
Parua Farndon	iiii li. xi s. ix d. ob.
Bernyngton	iiii li. iii s. viii d.
Shulton	vi li. vii s. ix d. q ^a .
Magna Cokeswell	cvi s. ix d.
Parua Cokeswell	iii li. ii s. vi d.
Summa lx li. xv s. vi d. ob.	

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Hundredum de Slotesford.

Basteldene	vi li. xv s. ii d. ob. q.
Stretle	vi s. vi d. ob. q.
Molsford	iiii li. v s. xi d. ob. q.
Sottewell	lix s. ix d. ob. q.

Summa xix li. vii s. vii d.

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Apportionment.

Farendon.

Burgo de Farendon	xi li.
Westbroc	
Inglesham	xxx s.
Langeford	xx s.
Parua Farendon	xxxiiii s.
Bernyngton	x s.
Shulton	xxx s.

¹ No heading to the tax.

Magna Cokeswell xxxvi s.

Parua Cokeswell xx s.

Summa xx li.

Hundredum de Slotessford.

Bastilden xxx s.

Stretle xxx s.

Molesford xx s.

Sottewell xx s.

Summa v li.

IV. Bucks. First collection.

77/18

Particule compoti Galfridi de Lucy, Gerardi de Braybrok, militum, Iohannis de Hamden et sociorum suorum, collectorum [etc.].

Summa totalis dci^{xx}liiii viii li. v s. iiii d. Infra quas summas continentur cccxliiii li. ii s. viii d. de finibus, exitibus et amerciamientis leuatis per predictos collectores in comitatu predicto seruientium, operariorum et aliorum artificum sicut continetur in quodam rotulo huic rotulo de particulis consuto.

Hundredum de Bynstowe.

Hampslape xii li. iiii s. vi d.

Rauenston iiii li.

Haueresham c s.

Tyringham cum Philingraue lxvi s. viii d.

Stokegoldyngton cum Ikole lx s.

Garhurst cum Parua Lynford lxx s.

Olneye cum membris ix li.

Weston lxx s.

Lauenden cum Snellestone c s.

Latebur' ciiii s.

Summa liiii li. xv s. ii d.

77/21.

Particule compoti Galfridi de Lucy, Gerardi de Braybrok, militum, Iohannis de Hamden et Ricardi Darches, collectorum xv^e et x^e in comitatu Buk', de denariis prouenientibus de excessu seruientium, operariorum et aliorum artificum, finibus, exitibus et amerciamentis eorundem in comitatu predicto et liberatis diuersis villatis et burgis in subuencionem xv^e et x^e vt patet inferius.

Hundredum de Bynstowe.

Villata de Hampslape	vi li. ii s. iii d.
Villata de Raueneston	xl s.
Villata de Haueresham	l s.
Villata de Tyringham cum Philinggraue	xxxiii s. iii d.
Villata de Stokegoldyngton cum Ikole	xxx s.
Villata de Garhurst cum Parua Lynford	xxxv s.
Villata de Olneye cum membris	iiii li. x s.
Villata de Weston	xxxv s.
Villata de Lauenden cum Snellestone	l s.
Villata de Latebur'	lii s.

Summa xxvi li. xvii s. vii d.

Enrolled Subsidies, 14; Buk'.

Summa recepte ^{xx}dciiii.viii li. v s. iii d. In thesauro dvii li. xv s. in vi tallis per collectores. Item in thesauro ciii li. vii d. ob. per predictum Galfridum. Et iidem collectores respondent in Rotulo xxvi^o in Residuo Bed' de cxiiii s. v d. ob. q., qui requiruntur ibidem de diuersis de quibus iidem collectores onerantur, sicut continetur in dicto rotulo de particulis debitis, inde respondent per ix breuia Regis allocata in hoc compoto. Et eisdem collectoribus in compensacionem xlix li. xviii s. quos Iohannes Chastiloun, vicecomes Bed' et Buk', leuauit de finibus diuersorum laborancium et artificum et de quibus xlix li. xviii s. idem vicecomes oneratur, videlicet, de xlvi li. xiii s. in rotulo de finibus coram Rege de terminis Pasche et Michaelis anno xxiii^o et terminis Hillarii, Pasche, Trinitatis et Michaelis anno xxiii^{to} et terminis Hillarii, Pasche, Trinitatis anno xxv^{to}, et

de xxv s. in rotulo de finibus, exitibus et amerciamentis coram Rege termino Michaelis anno xxv; et de quibus xlix li. xviii s., videlicet, in dictis particulis idem vicecomes satisfecit Regi sicut continetur in Rotulo xxvi^o in Bed' et in Memorandis de anno xxvii^o termino Hillarii xlix li. xviii s. per breue Regis irrotulatum in Memorandis de dicto anno xxvii^o termino Trinitatis per quod Rex mandauit baronibus quod omnes pecuniarum summas de huiusmodi finibus, exitibus et amerciamentis operariorum, seruientum et artificum tam coram iusticiariis ad placita coram Rege tenenda assignatis quam aliis iusticiariis quibuscumque, in auxilium solucionis xv^e et x^e predictarum tam eas, videlicet, que ad opus Regis leuate quamque adhuc leuande existant, prefatis collectoribus in alleuiacionem portionum pauperes villatas comitatus predicti contingencium ad scaccarium allocent, vel eis de tanta summa quanta inde ad opus Regis leuata existit recompensacionem habere faciant. Et eisdem collectoribus pro misis et expensis suis c s. Et debent xvi li. xviii s. ii d. ob. q^a. Iidem reddunt compotum de eodem debito. In thesauro nichil. Et eisdem collectoribus in consimili compensacione vt supra de consimilibus finibus laborariorum xvi li. xviii s. viii d. per breue Regis allocatum supra et per consideracionem baronum annotatam in Memorandis de anno xxvii^o Regis huius inter Recorda de termino Trinitatis. Et habent de superplusagio.¹

V. Cumberland. Third collection.

90/18.

Particule compoti Willelmi de Stapleton et Gilberti de Otwhit, collectorum [etc.].

Libertas de Penreth.

Villata de Penreth	xvii li. xix s. x d.
Inde de excessu laborariorum	ix li. v d.
Villata de Salkeld	iiii li.
Inde de excessu laborariorum	xxiii s. v d.

¹ Cf. app., 275-276.

Villata de Langwarthby	lii s.
Inde de excessu laborariorum	xxiii s. xi d.
Villata de Carlton	xx s. vi d.
Villata de Stotby	ix s.
Villata de Carleton iuxta Penreth	xx s.
Villata de Sourby	cvi s. viii d.
Inde de excessu laborariorum	xl s.
Summa xxxii li. viii s.	Inde de excessu laborariorum
xiii li. viii s.	ix d.

VI. Derby. Second collection.

91/21.

Derb'

Particule compoti Iohannis de Greseley, Iohannis de Sheye, Thome Bakepuz, Willelmi Curson et Ricardi Foliaumbe, collectorum [etc.].

Scarnesdale.

De Kynwaldmersch	xxxviii s. vii d.	Inde xxxiiii s. vii d. de
xv ^a .	De excessu laborariorum	iiii s.
De Norton	xxxvi s. viii d.	Inde xxvi s. viii d. de xv ^a .
De excessu laborariorum	x s.	
De Ekynton	xl s. viii d.	Inde xxxix s. de xv ^a .
De excessu laborariorum	vi s. viii d.	
De Brakenthweit et Wistinton	xii s. x d.	Inde viii s. x d. de
xv ^a .	De excessu laborariorum	iiii s.
De Elmeton	xii s.	Inde viii s. de xv ^a .
De excessu laborariorum	iiii s.	
De Glapwelle	xxiii s. ii d.	Inde xix s. ii d. de xv ^a .
De excessu laborariorum	iiii s.	
De Oxcroft	viii s. iii d.	Inde vi s. iii d. de xv ^a .
De excessu laborariorum	ii s.	
De Barleborough et Whitewell	iiii li. ix s. ii d.	Inde iii li.
xiiii d. de xv ^a .	De excessu laborariorum	viii s.
De Staueleye	xxxii s. vi d.	Inde xxvi s. de xv ^a .
De excessu laborariorum	vi s.	

- De Barley et Aston xxxviii s. vi d. Inde xxvii s. vi d. de xv^a.
De excessu laborariorum xi s.
- De Wyngerworth li s. ix d. Inde xl s. ix d. de xv^a.
De excessu laborariorum xi s.
- De Scardeclif xl s. vii d. Inde xxxvi s. vii d. de xv^a.
De excessu laborariorum iiiii s.
- De Shirland xx s. x d. Inde xvii s. x d. de xv^a.
De excessu laborariorum ii s.
- De Essouer xliiii s. i d. Inde xxxvi s. v d. de xv^a.
De excessu laborariorum vii s. viii d.
- De Stretton xxv s. vii d. Inde xxiii s. vii d. de xv^a.
De excessu laborariorum iiiii s.
- De Holmesfeld xliiii s. i d. Inde xxxii s. i d. de xv^a.
De excessu laborariorum xii s.
- De Bollesouer pro x^a, cx s. iii d. Inde iiiii li. xviii s. iii d. de xv^a.
De excessu laborariorum xii s.
- De Sutton in Dal xvii s. vi d. Inde xliii s. vi d. de xv^a.
De excessu laborariorum iiiii s.
- De Beyghton lvi s. v d. Inde xlviii s. v d. de xv^a.
De excessu laborariorum viiii s.
- De Plesley lxvi s. viii d. Inde lvi s. viii d. de xv^a.
De excessu laborariorum x s.
- De Tybshelf xxxviii s. i d. Inde xxxv s. i d. de xv^a.
De excessu laborariorum iii s.
- De Alferton l s. vii d. Inde xlv s. vii d. de xv^a.
De excessu laborariorum v s.
- De Southwynfeld li s. Inde xlvi s. de xv^a.
De excessu laborariorum v s.
- De Dronfeld lviii s. vii d. Inde liii s. vii d. de xv^a.
De excessu laborariorum v s.
- De Normanton et Penkeston xliiii s. i d. Inde xlii s. i d. de xv^a.
De excessu laborariorum ii s.
- De Dokmanton xxii s. iiiii d. Inde xx s. iiiii d. de xv^a.
De excessu laborariorum ii s.
- De Morton vi s. x d. Inde iiiii s. x d. de xv^a.
De excessu laborariorum ii s.

- De Staynesby lxi s. iii d. ob. q. Inde liiii s. vii d. de xv^a.
 De excessu laborariorum vi s. viii d.¹
- De Cloune Roberti Foluille xv d.
 Inde de excessu laborariorum, nichil.
- De Blakwelle xxviii s. viii d. Inde xxvi s. viii d. de xv^a.
 De excessu laborariorum ii s.
- De Toteley et Dore liiii s. Inde xliiii s. de xv^a.
 De excessu laborariorum x s.
- De Whitinton et Bryninton xxxiii s. iiiii d. Inde xxvi s. viii d. de xv^a.
 De excessu laborariorum dimidia marca.
- De Walton xxxiii s. iiiii d. Inde xxvi s. viii d. de xv^a.
 De excessu laborariorum dimidia marca.
- De Chesterfeld pro x^a, vi li. xv s. vii d.¹ Inde lxxv s. vii d. de xv^a.
 De excessu laborariorum lx s.
- De Derley pro x^a xxx li. Inde xxi li. v s. de xv^a.
 De excessu laborariorum viii li. xv s.
- Summa (blank).
 (Foots to xxi li. vi s. viii d.)

Exchequer, K. R., Accounts, 110/18.

Scarnesdale.

- m. 3.² Extractus excessuum et finium laborancium et seruientum de wappentachia de Scarnesdale, coram Hugone de Meignill et sociis suis iusticiariis domini Regis in comitatu Derb' annis regni Regis Edwardi tercii xxv^{to} vi^{to}.

De Willelmo de Hope per plegium Ricardi Basse, Hugonis Briane, pro excessu et fine xviii d.

De Alicia, vxore Roberti de Chanountrys, per plegium Hugonis Brian, Iohannis Fox, xviii d.

De Alicia de Staueley per plegium Roberti le Souter, Radulphi del Clay, xviii d.

¹ Slight discrepancies in addition and subtraction are not uncommon.

² m. 1. Hundredum de Sallowe; m. 2. Hundredum de Repeindon; m. 4. Hundredum de Wirkesworth.

De Iohanna, filia Iohannis Parker, per plegium Willelmi filii Willelmi, Ricardi filii Galfridi, xviii d.

De Petro Esmond per plegium predictorum Willelmi et Ricardi, xviii d.

De Roberto atte Water per plegium Willelmi Broun, Ricardi Dawkyns, xviii d.

De Ricardo, filio Radulfi, per plegium Roberti atte Water, Gregorii Dawkyns, xviii d.

De Magota de Codenouer per plegium Ade Isabell, Rogeri de Grene, xviii d.

De Willelmo, filio Willelmi Gamel, per plegium Petri Esmond, Roberti le Souter, ii s.

De Petro Abbot de Staueley per plegium Willelmi del Cotes, Ricardi Basse, ii s.

De Roberto le Ward per plegium Willelmi Brone, Roberti, Willelmi del Loue, ii s.

De Roberto Berchour per plegium Roberti de Glapwell, Henrici Bate, ii s.

De Willelmo le Barker per plegium Willelmi le Bryth, Inrez¹ le Reve, xii d.

De Ricardo de Chastershire per plegium Rogeri de Wyggeley et Rogeri Caus, xii d.

De Ricardo Alebeyn, sutore, per plegium Willelmi Alcok et Thome de Kenworth, iii s.

De Rogero de Notingham per plegium Thome de Burgh et Willelmi, filii Iohannis, iii s.

De Thoma de Silkeston per plegium predictorum, ii s.

De Willelmo Maynard de Brenscle, sutore, per plegium Ade de Godham et Iohannis de Wodhous, ii s.

De Roberto de Neuwerk, sutore, per plegium Henrici Bate, Iohannis de Sutton, ii s.

De Ricardo de Hulme, laborario, per plegium Thome Baret, Elie de Newbolt, xii d.

¹ Perhaps Iurez.

De Iohanne le Plastrer, laborer, per plegium Iohannis
le Stedeman, Willelmi le Walssh, xii d.

De Willelmo Denne, pistore, per plegium Iohannis
Heyne, Willelmi le Walsh, xl d.

De Roberto, filio Roberti Wayfeire, per predictum, ii s.

De Willelmo le Mulner, pistore, per predictum, ii s.

Summa xxi li. v s. iiiii d.¹

Derby. Second collection (continued).

91/21.²

De Beaureper xxx s. Inde xxv s. de xv^a. Et v s.
de excessibus laborariorum.

De Sallowe xvii s. iii d. Inde xv s. iii d. de xv^a.

De excessu laborariorum ii s.

91/22a. A file of 210 acquittances.

Hec indentura testatur quod Iohannes de Gresley et
socii sui collectores xv^e et x^e secundi anni triennalium
domino Regi in comitatu Derb' concessarum anno regni
sui xxv^{to} deliberauerunt Thome de Odyam de Beureper
v s. de finibus et excessibus seruientium et laborariorum
in auxilium xv^e ville de Beureper.

In cuius rei testimonium partes predictae sigilla sua
apposuerunt. Data apud Derb' die Veneris proximo
post festum Sancti Gregorii anno xxviii^o.

Hec indentura testatur quod Iohannes de Gresley et
socii sui collectores xv^e et x^e triennalium domino Regi
in comitatu Derb' concessarum anno regni sui xxv^{to}

¹A slight difference between this sum and that of Lay Subs., 91/21; in Accounts, 110/18 the writing is so small and so faded that the mistake is very likely there.

²See app., 330, for heading and for the whole district of Scarnesdale; I have here picked out two small districts so as to compare them with the acquittances.

deliberauerunt Henrico le Fisch de Sallowe ii s. de finibus et excessibus seruientium et laborariorum in auxilium xv^e villate de Sallowe.

In cuius rei testimonium partes predictae sigilla sua apposuerunt. Data apud Derby die Veneris proximo post festum Sancti Gregorii anno xxviii^o. (Seal.) ¹

VII. Derby. Third collection.

Enrolled Subsidies, 14.

(No account of fines:) eo quod tota summa denariorum proueniencium de eisdem finibus, exitibus et amerciamentis per ipsos collectores leuatis liberata fuit pro vadiis iusticiariorum assignatorum ad huiusmodi seruientes, operarios et alios artifices in comitatu predicto puniendos, absque eo quod aliqui denarii prouenientes de eisdem finibus, exitibus et amerciamentis penes ipsos collectores remanent, vt dicunt super sacramentum suum et sicut continetur in compoto inde in thesauro liberato.

Exchequer, K. R., Accounts, 110/21.

- m. i. Extracte finium, excessuum, exituum et amerciamentorum forisfactorum coram Hugone de Meignill et sociis suis iusticiariis [domini Regis]² ad statuta de operatoribus et seruientibus in comitatu Derby audienda et terminanda assignatis, [videlicet die Lune, die Martis, die Mercurii, die Iouis, die Veneris et die Sabbati prout sessiones fecerunt in diuersis locis dicti comitatus a festo Sancti Michaelis archangeli anno regni Regis Edwardi tercii post conquestum xxvii^o vsque festum Sancti Michaelis tunc proxime sequens, videlicet, in tercio anno triennialium Regi concessarum anno xxv^{to}].²

¹ Cf. app., 276-277.

² The portions in brackets crossed off in original.

m. 3. Sallowe.

(The offence is "pro excessu et fine.")

De Willelmo Tenerey quia non venit.	iii d.
De Simone de Grenhull pro simili.	iii d.
De Willelmo Ponge quia non venit.	iii d.
De Willelmo Faunell quia non venit.	iii d.
De Iohanne de Offinton quia non venit.	iii d.
De Roberto de Thrumunton quia non venit.	iii d.
De Roberto Waleys quia non venit.	iii d.
De Willelmo Tybbald quia non venit.	iii d.
De Willelmo Anot quia non venit.	iii d.
De Iohanne, filio Iohannis et Ada, filio Ricardi, quia non habent.	iiii d.
De plegiis Iohanne et Adam, quia non habent.	iiii d.
De Roberto Gamell, Willelmo Faunell, quia non habent.	iiii d.
De Ricardo Sturdy, Galfrido, filio eius, quia non habent.	iiii d.
De Ricardo Carter et Willelmo Suter, quia non habent dictum Iohannem. ¹	iiii d.
De predictis Ricardo et Willelmo, quia non ha- bent.	iiii d.
De Petro Sckot, Willelmo, filio Ricardi, quia non habent.	iiii d.
De Willelmo Suter, Ricardo, filio Adam, quia non habent.	iiii d.
De Iohanne North, Ricardo Suter, quia non ha- bent.	iiii d.

Summa oneris ii s. xi d. probatur.

(Endorsement.)

Summa istorum trium rotulorum tam infra quam extra, vbi preponitur litera T xxiii li. vi s. vii d. Quos computant se liberasse iusticiariis assignatis ad punien-

¹ *I. e.* Iohanne de Offinton, *supra*.

dum seruientes, operarios et alios artifices in comitatu Derb' per quinque breuia de magno sigillo Regis et tres literas acquietancie dictorum iusticiariorum receptas et liberacionem predictam testificantes, sicut continetur in compoto dictorum collectorum inde in thesauro liberato. Qui quidem compotus remanet in custodia ingrossatoris.¹

VIII. Essex. First collection.

107/41.

Essex'

Particule compoti Lionis de Bradenham et Iohannis de Depeden, collectorum [etc.].

Hundredum de Tendryng.

De villata de Bradefeld xliiii s. iii d. ob. q.
vnde xv^a iiii s. iii d. ob. q. fines operariorum xl s.

Hundredum de Lexeden.²

	De villa de Coppeford	li s. vi d. ob. q ^a .
	vnde xv ^a xxi s. vi d. ob. q ^a .	fines operariorum xxx s.
breue	De villa de Teye Magna	cxi s. iii d. q ^a .
	de finibus operariorum eiusdem ville. (vnde de xv ^a bonorum Iohannis fitz Wauter in eadem villa xiiii s.)	
	De villa de Fordham	lv s. vii d.
	de finibus operariorum eiusdem ville.	
	De villa de Bures ad Montem	xxiiii s. i d. ob.
	de finibus operariorum eiusdem ville.	
	De villa de Colne Alba	xxxv s. i d. q ^a .
	vnde xv ^a xx s. i d. q ^a .	fines operariorum xv s.
x ^a	De burgo Colcestr' cum hamelettis de Lexeden', Mi-	
breue	lande, Grynsted et Westdonyland.	
	xxvi li. ii s. ix d.	de finibus laborariorum eiusdem

¹ Most of the entries have the letter "T" before them; others (but fewer) have a small "e."

² Last six entries in this hundred.

burgi quia nichil de xv^a et x^a. [vnde xiiii s. pro bonis Iohannis fitz Wauter in Lexeden.] ¹

Exchequer, K. R., Accounts, 1110/16.²

Extracte finium, exituum et amerciamentorum factorum coram Iohanne de Sutton et sociis suis iusticiariis domini Regis ad diuersas felonias et excessus laborariorum in comitatu Essex' audiendos et terminandos assignatis anno regni Regis Edwardi tercii post conquestum xxv^{to}.

Hundredum de Tendryng.

Villata de Bradefeld.

De Ricardo le Ferour pro eodem (i. e. de fine pro excessu)	v s.
De Willelmo Welybetyn pro eodem	v s.
De Stephano Adekyn	xii d.
De Thoma Adekyn	xii d.
De Rogero Alfreyd	xii d.
De Gosscelina atte Nassh	ii s.
De Iuota, sorore dicte Gossceline pro eodem	xii d.
De Dionisio Balton pro eodem	xii d.
De Clemente Welybete pro eodem	xii d.
De Mabilla Maykyn	xii d.
De Waltero Welybete	xii d.
De Iohanne Oralle	xii d.
De Christina Balton	xii d.
De Iohanne le Thecche	ii s.
De Agnete Brok	vi d.
De Hugone Balton	xl d.
De Hugone Welybete	ii s.
Summa xxix s. x d.	probatur.

¹ The portion in brackets crossed out in original.

² This exceedingly voluminous and very valuable account was discovered out of its proper place by Professor Edwin F. Gay.

Hundredum de Lexeden.

Villata de Teye Magna.

(54 names; largest amount 10 s.)

Summa cxii s. viii d. probatur.

Villata de Copford.

(30 names; largest amount 40 d.)

Summa xliii s. viii d. probatur.

Villata de Fordham.

(34 names; largest amount 5 s.)

Summa lvii s. ii d.

Villata de Burus ad Montem.

(14 names; largest amount 40 d.)

Summa xxx s. probatur.

Villata Colcestr'

(275 names; largest amount 20 s.)

Hameletta de Colc'

(30 names; largest amount 20 s.)

Hameletta de Grensted.

(4 names; largest amount 40 d.)

Hameletta de Milland.

(8 names; largest amount 40 d.)

Hameletta de Westdonyland.

(2 names; largest amount 5 s.)

Summa ^{xx}iiii iii li. viii s. iiii d.¹

Summa totalis finium laborariorum dccxix li. x s. De qua quidem summa liberatur diuersis villis in diuersis hundredis per discrecionem iusticiariorum et aliorum iuratorum in aleu-
iacionem x^e et xv^e per collectores earundem x^e et xv^e ob
causam paupertatis et inopie post pestilenciam accidentum
summa denariorum subscripta ² vt inferius patet.

¹ Hamlets included.

² This word is faded and doubtful.

(Note at end of account.)

Summa distribucionum villatarum supradictarum de denariis operariorum per discrecionem iusticiariorum dclxxv li. xi s. Et in vadia iusticiariorum per diuersas sessiones et diuersa tempora anno regni Regis Edwardi tercii post conquestum vicesimo sexto, videlicet, domini Iohannis de Sutton, vnus iusticiarii, xlii li. xiii s. iiii d. per xliiii dies capientis per diem vi s. viii d.; domini Iohannis de Coggeshale, alius iusticiarii, xvi li. xiii s. iiii d. per l dies capientis per diem vi s. viii d.; et Roberti de Teye, alterius iusticiarii, xii li. x s. per l dies capientis per diem v s.; vt patet per indenturam inter predictos iusticiarios et dictos collectores inde factam dictos denarios testificantem.

Summa vadiorum xliii li. xvi s. viii d. Summa totalis coniuncta dccxix li.

Et debent ii s. iiii d.

IX. Herts. First collection.

120/29.

Particule compoti Iohannis de Chilterne, Iohannis Galwe et Willelmi atte Hoo de Ware, collectorum [etc.].

Hundredum de Hertford.

Tax	.	.	.	.	.	.	.	.	.
	De	Berkhamstede	Parua						
				liii	s.	v	d.	ob.	

Hundredum de Braugh.

De Westmuln	lii	s.	i	d.	q.
De Braugh	v	li.	vii	s.	ii
De Stondon	ix	li.	xiii	s.	viii
De Honisdon	iiii	li.	iii	s.	viii
De Stanstude	lxvii	s.	x	d.	
De Estwyk	xxxii	s.	vi	d.	
De Wideford	xxviii	s.	vii	d.	
De Ware	xii	li.	xvii	s.	iiii
De Godeleston	xxxvi	s.			
De Thorleye	lxx	s.	iii	d.	q.

	De Sabrichisworth	ix li. ix s. x d. ob.
x ^a {	Burgus de Storteford	ix li. xii s. v d. ob. q.
	De Wicham hamletta	xxxix s. viii d. ob. q.
	Summa totalis hundredi lxxvii li. xi s. iii d. q.	
	probatur.	

Particule compoti Iohannis de Chilterne, Iohannis Galwe et Willelmi atte Hoo de Ware, collectorum xv^e et x^e triennalium Regi a laicis anno xxv^{to} concessarum in comitatu Hertford', videlicet, de denariis prouenientibus de finibus operariorum et aliorum artificum in comitatu predicto.

Appor- tionment	Hundredum de Hertford.
	

Willelmo de Berenden subcollectori xv^e ville de
Berkhamstede Parua. xi s.

Hundredum de Brath.

Galfrido Ball et Iohanni Milis subcollectoribus
xv^e villate de Westmull x s. vi d.

Radulfo atte Watere et Roberto Cosin subcollec-
toribus xv^e villate de Brathing
xxii s.

Iohanni Strode et Henrico Baldewell subcollec-
toribus xv^e villate de Stondon
xxxiii s. viii d.

Thome Bacon et Iohanni Makewiliam subcol-
lectoribus xv^e villate de Honisdon
xvi s. ix d.

Willelmo, Roberto et Willelmo Rokisburwe sub-
collectoribus xv^e villate de Stanstede
xiii s. vi d.

Iohanni Germanyn subcollectori xv^e villate de
Estwyk vi s. vi d.

Iohanni le Taylour subcollectori xv^e villate de
Wydeford v s. vii d.

Thome de Godisfeld et Iohanni atte Watere
subcollectoribus xv^e villate de Ware
v li.

Iohanni Panel et Nicholao Deyere subcollector-
ibus xv^e villate de Gudliston
viii s.

Waltero Baldewyn et Roberto Bole subcollec-
toribus xv^e villate de Thorleye
xv s.

Heli Herebard et Roberto Rome subcollectoribus
x^e hamelette de Wykham viii s.

Summa xi li. xix s. vi d. probatur.¹

X. Herts. Second collection.

120/30. A file of 30 or 40 indentures; to be compared with the tax for the first collection for the corresponding districts; see app., 340.

Hec indentura testatur quod Radulfus Cressy et Iohannes de Chilterne, taxatores et collectores secundi anni xv^e et x^e domino Regi anno regni sui Anglie xxv^{to} in comitatu Hertford' concessarum, liberauerunt Willelmo Werden subtaxatori et subcollectoris eiusdem xv^e villate de Berkhamsted Parua, de secundo anno predicto, quatuor solidos et sex denarios de finibus, exitibus et amerciamentis prouenientibus de extractis exituum et amerciamentorum diuersorum operariorum, laborariorum et artificum factorum coram Waltero de Mauny et sociis suis iusticiariis dicti domini Regis in comitatu predicto de huiusmodi operariis, laborariis et artificibus prouenientium² in auxilium solucionis xv^e predictae eandem villatam contingentis.

¹ Cf. also Lay Subs., 120/31, Herts.; it contains a file of writs to the collectors of this same collection directing them to pay the justices' wages and a file of receipts from the justices, similar to those for Derby; app., 276-277.

² MS. proueniend.

Data apud Sanctum Albanum die Sabbati proximo post festum Purificacionis beate Marie, anno Regis Edwardi tercii post conquestum Anglie xxviii^o.

XI. Kent. First collection.

123/24.

Particule compoti Symonis de Lee, Iohannis Champayne et Willelmi de Wyghtrishamme, collectorum [etc.].

Lastus de Shypweye.

Tax Hundredum Sancti Martini.

De Symone Dolsely	v s.
De Iohanne Godwerk	v s.
De Stephano Thomelyn	iii s.
De Roberto Sampson	vi s.
De Laurencio, filio Iohannis Maheu,	xviii d.
De Iohanne Landriche	iii s.
(33 more names; amounts vary between 6 s. and 1 s.)	
Summa ciiii s. viii d.	

Summa totalis forisfacturarum ciiii s. viii d.
preter liiii s. laborariorum.

Hundredum de Langeport.

Summa xv s. vi d.

Summa totalis forisfacturarum xv s. vi d. preter
ii s. laborariorum.

Hundredum de Allowesbregg.

Summa totalis forisfacturarum xv li. ii s. i d. ob.
q^a. preter xxxix s. laborariorum.

Hundredum de Newecherch.

Summa forisfacturarum xiii li. xi s. vi d. ob. q^a.
preter xxxv s. laborariorum.

Hundredum de Stontyng.

Summa totalis forisfacturarum ix li. v s. x d. ob.
q^a. preter xxv s. de laborariis.

Hundredum de Lombergh.

Summa totalis forisfacturarum xxvi li. xix s. xi
d. ob q^a. preter lx s. laborariorum.

Hundredum de Hean.

Summa forisfacturarum iii li. xii s. iii d. ob. q^a.
preter xxxvii s. laborariorum.

Hundredum de Bircholte.

Summa totalis forisfacturarum iiii li. xvii s. viii d.
q^a. preter xiii s. laborariorum.

Hundredum de Hamme.

Summa viii li. ix s. ii d. cum xviii s. ii d. labor-
ariorum.

Hundredum de Worth.

Summa totalis forisfacturarum vi li. xi s. iii d. q^a.
preter xli s. ii d. laborariorum.

Hundredum de Oxene.

Summa totalis forisfacturarum xlii li. xix s. ix d.
preter xxxvi s. laborariorum.

Hundredum de Folkestane.

Summa totalis forisfacturarum xxxlii li. iii s. i d.
q^a. preter vi li. iiii s. laborariorum.

Hundredum de Strete.

Summa totalis forisfacturarum xi li. iii s. v d. ob.
q^a. preter xxxix s. laborariorum.

Summa totalis forisfacturarum ipsius lasti
clxxviii li. xx d.

Summa v portuum lxxv li. iiii s. iii d. ob. q^a.

Summa religiosorum lxxv s.

Summa monetariorum iiii s.

Summa tocius lasti ccxvi li. xv s. cum xxvi
li. iii s. iiii d. laborariorum.¹

Appor-
tionment Aporciacio de finibus et amerciamentis diuersorum
laborariorum et artificum in comitatu Kanc' facta
per Henricum de Valoyns, militem, Nicholaum de
Sandwico, militem, Thomam Chicche, militem, Io-
hannem de Cobeham, militem ac alios militum et
proborum hominum communitatis comitatus Kanc'
predicti per assencionem comitis Huntyngdon' et
sociorum suorum ² iusticiariorum etc.

Lastus de Shippeweye.

Hundredum Sancti Martini liiii s.

Hundredum de Langeporte ii s.

¹The separate hundreds have each "summa v portuum" entered
after their own sum, and then "summa coniuncta."

²MS. suis.

Hundredum de Allowesbregg	xxxix s.
Hundredum de Oxene	xxxvi s.
Hundredum de Lonybrgh	lx s.
Hundredum de Stontyng	xxv s.
Hundredum de Heen	xxxvii s.
Hundredum de Strete	xxxix s.
Hundredum de Worth	xli s. ii d.
Hundredum de Newecherch	xxxv s.
Hundredum de Bircholte	xiii s.
Hundredum de Hamme	xviii s. ii d.
Hundredum de Folkstane	vi li. iii s.

XII. ‡ Lancaster. Third collection.

130/26.

(Heading wanting. Described in official catalogue as of doubtful date but as probably belonging to Edw. III because of character.

The following note at end proves that it belongs to this subsidy:

Infra quam summam continentur ———¹ seruietium et artificum particulariter distributa et liberata diuersis burgis et villatis ——— attachiatur.

Enrolled Subsidies, 14, shows that only for the third collection of the grant of 1352 were the penalties accounted for.

The heading of the district of Derbyshire is torn off, and also the names of the first three places; a comparison with 130/25, containing the account of an earlier grant of Edw. III, makes it safe to supply the missing names as follows:²)

x ^a {	De Burgo de Wygan	iiii li.
	De Burgo de Leuerpoll	lx s.
	De Crosseby Magna	xxv s.
	De Knouseleggh	xlvi s.

¹ Badly torn.

² I am indebted to Miss M. T. Martin for this information.

De Hagh	ix s.
De Hyndeleggh	xx s.

130/21.

Particule compoti Willelmi de Clifton et Willelmi de Heskeyth, collectorum tercii anni xv^e et x^e triennialium Regi a laicis anno xxv^{to} in comitatu Lanc' concessarum, videlicet de finibus pro excessibus et amerciamentis diuersorum operariorum, seruientium et artificum factis coram Iohanne de Haueryngton, Willelmo Laurence et sociis suis iusticiariis assignatis in comitatu predicto ad puniendum huiusmodi operarios, seruientes et artifices pro excessibus, annis xxvi^o xxvii^o et xxviii^o particulariter distributis et liberatis burgis et villatis infrascriptis, in auxilium solucionis xv^e et x^e predictarum. Et de quibus quidem finibus et amerciamentis nichil fuit prius distributum, solutum vel liberatum villatis infrascriptis in auxilium solucionis primi vel secundi anni earundem xv^e et x^e.

Derbyshire.

Willelmo, filio Ricardi et Willelmo le Clerk, subcollectoribus x^{me} trienalis burgi de Wygan Regi concesse in ducatu Lanc' anno xxv^{to} in auxilium, videlicet, solucionis x^{arum} predictarum dictum burgum contingentium, videlicet, pro dicta x^{ma} trienali [ad quam prius non habuit allocacionem] ¹ cui prius nichil solutum fuit sicut supraposita de aliquibus finibus vel amerciamentis seruientium, operariorum vel artificum xii d.

Alexandro Comyn et Willelmo, filio Ade, subcollectoribus x^e predicte burgi de Lyuerpull, in auxilio solucionis x^{arum} predictarum ix li.

Willelmo Modersoule et Roberto del Toun, subcollectoribus xv^e predicte villate de Knouseleggh, in auxilio solucionis xv^{arum} predictarum xlii s. x d.

Iohanni le Walker et Ricardo Brommegh, subcollectoribus xv^e predicte villate de Hagh, in auxilio solucionis xv^{arum} predictarum vi s.

¹ The portion in brackets crossed through in the original.

Ade, filio Rogeri et Ade, filio Ricardi, subcollectoribus xv^e prediacte villate de Hyndeleghe, in auxilio solucionis xv^{arum} predictarum xxiii s. iii d. ob.

XIII. ‡ Lincoln, Holand. Second collection.

135/53.

(Described in the official catalogue as of doubtful date, but probably of the reign of Edw. III. The penalties prove that it is the grant of 1352; the names of the collectors are the same as in Enrolled Subs., 14, for the second collection.)

Particule compoti Willelmi de Surflete de Gosberkirk et Iohannis de Luttelbury, collectorum xv^e et x^e triennalium Regi a laicis anno xxv^o in partibus Holand in comitatu Lincoln' concessarum, videlicet, de secundo anno solucionis earundem.

De villata de Wrangil	xv li. xiii s. iiii d. Inde de xv ^a x li. xiii s. iiii d. Et de excessu c s.
De villata de Leke	xxi li. Inde de xv ^a xviii li. x s. Et de excessu l s.
De villata de Leurton	xiii li. vi s. viii d. Inde de xv ^a xii li. vii s. vi d. Et de excessu xix s. ii d.
De villata de Benington	xiv li. Inde de xv ^a xii li. vii s. iiii d. Et de excessu xxxii s. viii d.
De villata de Bolerwike	vi li. Inde de xv ^a cxiii s. Et de excessu vii s.
De villata de Freston	xi li. xv s. Inde de xv ^a x li. xvii s. iii d. Et de excessu xviii d.
De villata de Tofte	x li. Inde de xv ^a ix li. xii s. vi d. Et de excessu vii s. vi d.
De villata de Skirbecke	xi li. Inde de xv ^a x li. xiii s. x d. Et de excessu vi s. ii d.
De villata de Sancto Botolpho	lxxiii li. vi s. viii d. Inde de xv ^a lxxvii li. xvi s. viii d. Et de excessu cx s.

Summa clxxvi li. xx d.

XIV. Lincoln, Kesteven. Second collection.

135/57.

Particule compoti Roberti Vlf de Grantham, Iohannis de Tame de Gretford et Iohannis Slony de Sleaford pro se et Ricardo de Hebden, collectoribus [etc.].

Vffington cum Casewyk	xi li. x s. vi d. Inde de xv ^a xi li. iii s. x d. Et de excessu vi s. viii d.
Langetoft	xi li. xiiii s. x d. q. Inde de xv ^a xi li. iiii s. x d. q ^a . Et de ex- cessu x s.
Talyngton	ix li. iiii d. Inde de xv ^a viii li. x s. iiii d. Et de excessu x s.
Brasyngburn cum Branthorp	iiii li. xvi s. vi d. Inde de xv ^a iiii li. viii s. i d. Et de excessu viii s. v d.
.	
Baston	viii li. xvi s. iiii d. ob. Inde de xv ^a vii li. vi s. iiii d. ob. Et de ex- cessu xxx s.
.	
Bythorp cum Vseby	lx s. iiii d. Inde [de] xv ^a l s. iiii d. Et de excessu laborariorum x s.
.	
Mylnethorp	lxxiiii s. Inde [de] xv ^a lx s. viii d. Et de excessu xiii s. iiii d.
.	
Repyngale	xi li. x s. vi d. Inde de xv ^a xi li. vi d. Et de excessu x s.

XV. Lincoln, Lindsey. Third collection.

135/58.

Particule compoti Willelmi de Belesby, Gilberti Day et Willelmi Wasselyn, collectorum [etc.].

Braddele.

Breue	De villata de Grymesby de x ^a	ix li. xiv s. v d. Et totum de denariis laborariorum per breue domini Regis.
	De villata de Castre de x ^a	lxxviii s. ii d. Inde de denariis laborariorum l s. iii d. de xv ^a xxviii s.
	De villata de South-kellesey de x ^a	cvii s. ii d. q. Inde de denariis laborariorum xl s. de xv ^a lxvii s. ii d. q ^a .
	De villatis de Cadenay et Hansom	de x ^a cxii s. x d. Inde de denariis laborariorum.
	De villata de Gris-seby de x ^a	xxxi s. i d. Inde de denariis laborariorum xii s. de xv ^a xix s.
	De villata de Hat-ton de x ^a	xxiii s. ii d. Inde de denariis laborariorum xii s. de xv ^a xi s. ii d.
	De villata de North-kellesey de x ^a	iiii li. xii s. vi d. ob. Inde de denariis laborariorum xxv s. de x ^a lvii s. vi d. ob.
	Summa huius wappentachii xxxi li. xix s. iii d. ob. Inde de denariis laborariorum xvii li. xiii s. viii d.	

(The above account lacks the wapentake of Hill, but in 135/72, a bundle of undated fragments, there is a loose membrane containing an account for this wapentake, with the penalties arranged exactly as in the above extract, evidently the missing portion.)

Wappentachium de Hill.

Summa xv^e huius wappentachii xxiii li. iii s. iii d. ob.
Inde de denariis laborariorum vi li. xiii s. vi d.

XVI. ‡ Middlesex. First collection.

141/19.

(Described in official catalogue as of doubtful date; either Edw. III or H. VI. The note at end of account shows that it belongs to this grant; while the total amount of penalties, as well as the names of the collectors, as far as they can be deciphered, are duplicated in Enrolled Subs., 14, for this collection.)

Particule compoti ———¹ Pounz et Simonis ———
Regi a laicis anno xxv^{to} in comitatu Midd' concessarum, videlicet, de ——— xv^e et x^e.

Hundredum de Oslneston.

De villata de Hakeneye² xlii li. xviii s. viii d. ob.

De villata de Fulham xi li. vii s. v d.

De villatis de Westsmeth-
efeld, Stokeneuton, Isel-
don, Fynesbury et Shor-
dich

xviii li. ix s. q.

(Note at end:)

Infra quas summas continentur cxlvi li. iiii s. x d. de excessibus et finibus pro eisdem excessibus factis per diuersos laborarios, operarios et artifices coram Iohanne Bray et sociis suis iusticiariis ad inquirendum de diuersis feloniis et ad diuersos transgressiones et excessus laboratorum, artificum, seruitorum et ad alia in commissione Regis contenta audienda et terminanda assignatis anno xxv^{to}. De quibus respice in rotulo sequenti.

Exchequer, K. R., Accounts, 110/34.

No heading.

Hundredum de Ouselston.

Item computantes liberauerunt Willelmo Salman et Nicholao

¹The blanks represent faded words.

²On the margin of the original the sums paid by individuals are noted.

Forster, subcollectoribus xv^e et x^e villate de Hakeneye, in auxilium solucionis predictarum xv^e et x^e eiusdem villate de finibus, excessibus et amerciamentis laborariorum et aliorum artificum in comitatu predicto forisfactis per indenturam cxviii s. v d.

Item liberauerunt Iohanni Dawe et Willelmo Knot, subcollectoribus villate de Foulham, in auxilium solucionis earundem xv^e et x^e de finibus et excessibus predictis per indenturam iiii li. xvi s. viii d.

Item liberauerunt Petro atte Gate et Iohanni Flaunden, subcollectoribus villatarum de Westsmethefeld, Stoke neuton, Iseldon, Fynesbury et Shordich de finibus et excessibus predictis per indenturam vii li. xvi s. x d.

Summa hundredi lxii li. x s. vi d.

Summa totalis cxlvi li. iiii s. x d.

XVII. Norfolk. First collection.

149/33.

Particule compoti Iohannis de Coleby, militis, Iohannis de Hales, militis et Edmundi Noon, collectorum [etc.].¹

Hundredum de Gildecross.

Tax	De Garboldesham	viii li.
	" Snareshull	xl s.
	" Kemhale	lxx s.
	" Estherling	vii li.
	" Ridelesworth	iiii li.
	" Lepham	cxii s.
	" Catesthorp	l s.
	" Westherling	lxx s.
	" Blouerton	l s.
	" Russsheworth	iiii li.
	" Quidenham	iiii li.
	" Banham	iiii li.
	" Media Herling	xl s.

Summa hundredi lii li. xii s.

¹ In this heading "Edwardi tercii" is mentioned.

Particule compoti Iohannis de Colby, collectoris xv^e et x^{me} in comitatu Norff', de denariis prouenientibus de excessibus seruientium, operariorum et artificum, exitibus et amerciamentis eorundem in comitatu predicto et liberatis diuersis villatis et burgis in subuencionem xv^e et x^e vt inferius patet.

Appor-	Villata de Qwydenham	ix s. viii d.
tionment.	Villata de Banham	xii d.
	Villata de Garboldesham	xv s. viii d.
	Villata de Lopham	viii d.
	Villata de Estherlyng	iii s.
	Villata de Westherlyng	vi d.
	Villata de Redelisworth	ii s. vii d. ob.

XVIII. Norfolk. Second collection.

149/35.

Norff' De quindena, anno regni Regis Edwardi tercii a conquestu xxvii^{mo}.

Happingg.

Stalham	ix li. Inde soluti de xv ^a vi li. xix s. vi d. et de excessu xx s. vi d.
Catefelde	vi li. xiiii s. Inde soluti de xv ^a vi li. ix s. ix d. et de excessu iiii s. iii d.
Hapisburgh	ix li. x s. q ^a . Inde soluti de xv ^a viii li. viii s. iii d. et de excessu iiii s. iii d.
Horseye	xlvi s. iiii d. et de excessu nichil.
Ludham	vii li. xv s. Inde soluti de xv ^a vii li. vi s. et de excessu ix s.
Potterehegham	cv s. Inde soluti de xv ^a ciiii s. iiii d. et de excessu viii d.

Weppwade.

Bonewelle	vi li. Inde soluti de xv ^a v li. xvii s. iiii d. et de excessu xx d.
Multone	cxiiii s. Inde soluti de xv ^a cxii s. iiii d. et de excessu xx d.

Waketone	xlvi s. viii d. Inde soluti de xv ^a xlv s. et de excessu xii d.
Strattone	vi li. x s. Inde soluti de xv ^a vi li. iii s. et de excessu vi s.

(Note at end: Total penalties xxii li. xix s. x d.
Enrolled Subsidies, 14, shows a larger sum.)

XIX. Norfolk. Third collection.

149/34.

Norff' Particule compoti Hugonis Peuerel et Roberti del
Parke et sociorum suorum, collectorum [etc.].

Lodne.

Loudene	x li. ix s. ix d.	Vnde de xv ^a x li. xxii d. ob. de exitibus labararium vii s. x d. ob.
Hardelee	lx s.	Vnde de xv ^a lvii s. ii d. q. de labarariis ii s. ix d. ob. q.
Langele	cx s. ii d.	Vnde de xv ^a iii li. v s. iii d. q. et de exitibus xxiiii s. ix d. ob. q.
Mundham	cx s. vi d.	Vnde de xv ^a v li. ix s. et de exitibus xviii d.

XX. Oxford. Third collection.

161/28.

Particule compoti Iohannis Crok, Iohannis Mundy de Wode-
stok et Iohannis de Croxford, collectorum [etc.].

Hundredum de Thame.

Noua Thame	x li. iii s. viii d.
Villata de Tetesworth	lxxix s. iii d.
Villata de Ascote	lv s. viii d.
Villata de Morton et Atindon	iiii li. xviii s. xi d.

Villata de Midelton Magna et	
Parua	viii li. ii s. x d.
Villata de Waterstoke	lii s. iii d.
Villata de Vetere Thame	lxviii s. ix d.
Villata de Weston	liiii s. vi d.
Summa istius hundredi xxxviii li. iii s. xi d.	

161/30.

Apporcionacio hundredorum Pough, Dork, Thame et iii^{or}
hundredorum et dimidii Ciltr'¹ facta anno xxviii^o in alloca-
cionem x^{me} et xv^{me} eiusdem anni vt patet.

Hundredum de Thame.

Noua Thame	xl s.
Vetus Thame cum Prestend	xl s.
Waterstok	iii s.
Milton Magna	xv s.
Milton Parua	xl d.
Tettesworth	xxx s.
Weston	vi s.
Morton	iiii s.
Attyndon	vi s.
Ascote	xv s.

Summa viii li. ii s. iii d.

XXI. ‡ Suffolk. Third collection.

180/26.

(Described in the official catalogue merely as belonging to the reign of Edw. III. The note at the end as to penalties proves the exact date; the amount of the penalties and the names of the collectors being checked by Enrolled Subs., 14.)

Suff' Particule compoti Willelmi de Russhebrok, Ricardi Forester et Ricardi de Marchesham, collectorum xv^e et x^e triennalium Regi a laicis in comitatu Suff' anno xxv^{to} concessarum de tercio anno solucionis earundem.

¹Chiltern Hundreds.

Mutford.

Kessynglond	cviii s. vi d. ob. q. Inde de excessu iiii s. vi d.
Pakefeld cum Kyrkele	lx s. ii d. ob. Inde de excessu iiii s. vi d.
Gyslyngham cum parte de Risshenden	lxiii s. iiii d. Inde de excessu iiii s. vi d.
Mutford cum Barneby et parte de Risshynden	lxii s. Inde de excessu iiii s. vi d.
Carleton	liii s. Inde de excessu iiii s. vi d.
Summa xvii li. vii s. i d. q.	
Summa excessus xxii s. vi d.	

(Note at end.)

Infra quas quidem summas continentur cxxv li. ii s. x d. ob. q^a. de denariis provenientibus de finibus, exitibus et amerciamenis seruientium et aliorum artificum in comitatu predicto sicut continentur in dicto rotulo de particulis xv^e et x^e predictarum.

XXII. Warwick. Second collection.

192/16.

Warr' Particule compoti Ricardi de Whitacre, Iohannis de Vaal, Iohannis Comyn et Hugonis de Brandeston, collectorum [etc.].

Hundredum de Kyngton.

Walton Deyuill	xli s.
Walton Mauduth	xxxv s.
Wellesburn Hastang	lx s.
Wellesburn Montford	liii li.

Warr'

Aporcinacio de xlv li. ix s. ii d. de denariis prouenientibus de diuersis finibus, exitibus et amerciamenis operariorum et artificum pro excessu in comitatu Warr' coram Iohanne Bote-

tourt iusticiario et sociis suis ad huiusmodi excessus et transgressionem assignatis, per Ricardum de Whitacre, Iohannem de Vaal, Hugonem de Braunceton et Iohannem Comyn, collectores xv^e et x^e triennalium Regi a laicis anno xxv^{to} concessarum de secundo anno solucionis earundem et per ausamentum Willelmi de Spineto, Iohannis de Conyngesbi, Willelmi Waldeyeue, Willelmi Doddyngeleses, Roberti de Crowenhal, Roberti de Wauere, Iohannis de Vpton, Thome de Compton, Iohannis Bardolf, Iohannis de Moul, Thome Mollyng, Iohannis de Stanford et aliorum dicti comitatus facta diuersis villatis subscriptis vnde predicti iusticiarii pro vadiis suis nichil adhuc receperunt.

Hundredum Kyngton.

Villata de Walton Deuyle	iiii s.
Villata de Walton Maudyt	iii s.
Villata de Wellesbourn Hastang	iii s.
Villata de Wellesbourn Montford	iiii s. iii d.

XXIII. Worcester. Second collection.

200/15.

Particule compoti Thome de Luttelton, Iohannis de Sidyn-ton, Edmundi de Dunclent, collectorum [etc.].

Wygorn'	xx li.
Holte et Wyttele	lxxi s. iii d.
Elmeley Beauchamp	lxii s. viii d.
Kemeseye cum membris	cvii s. iii d.
Bredon	xlvi s. viii d.
Herdewyk	xl s. viii d.

Apporcinacio de lviii li. xiii s. x d. facta die Martis proximo post festum Circumcisionis Domini anno regni Regis Edwardi tercii xxviii^o coram Waltero de Schakenhurst et sociis suis iusticiariis domini Regis per sacramentum Edmundi Dunkelent et sociorum suorum, collectorum x^e et xv^e domino Regi a laicis concessarum, Thome Foliot, Iohannis Beuchaumpe, Rogeri Bessopeston, Edmundi de Brugg, Ricardi Ruyhale, Philippi

Spechesleye, Iohannis Kekyngwych, Alexandri de Besford, Ricardi de Reodyng, Willelmi Spechesleye, Willelmi de Stone, Iohannis Spenser, Iohannis de la Mare, Simonis Gros, Thome Tolwardye, Rogeri Porter, Thome de Burton, Ricardi Farmon, Iohannis de Gretton, Iohannis de Hamburi, Willelmi Broun, Willelmi de Melynton, Iohannis Wuybbe, Henrici Wynturnold et Thome de Abyndon, ad hoc per communitatem¹ comitatus ad hoc electorum et ordinatorum, et per auisionem Walteri de Schakenhurst et Rogeri de Brugg, iusticiariorum domini Regis ad inquirendum de seruientibus, operariis, victualariis, artificibus in comitatu predicto per communitatem comitatus predicti. Que quadam apporcinacio facta est modo subscripto, videlicet:

Wygorn'	cx s.
Holt et Wytteleye	xxiii s. iii d.
Elmeleye Beauchampe	xii s. viii d.
Kemesseye	v s. iiii d.
Breoton	dimidia marca.
Herdwyk	xi s. iiii d.

(Endorsement.)

Summa totalis distribucionis huius comitatus particulariter per villatas lv li. vii s. x d. Et debent xl s. qui eis non debent allocari per consideracionem baronum prout patet in hoc rotulo infra, vbi proponitur et cancellatur per barones.

XXIV. York, E. R. Second collection.

202/52.

Particule compoti Roberti Twyere, Iohannis de Cotom, Geardi de Grimmeston, collectorum [etc.].

Waxham	xxxix s. Inde de xv ^a xxv s. viii d. Et de excessu laborariorum xiii s. v d.
Loset cum Parua Kelk	xx s. Inde de xv ^a xii s. vi d. Et de excessu laborariorum vii s. v d.

¹ MS. comitatem.

Thorne Gumbald	xli s. Inde de xv ^a xxi s. Et de excessu laborariorum xx s.
Wynested	xliv s. Inde de xv ^a xxxv s. Et de excessu laborariorum x s.
Bounwyh	xviii s. Inde de xv ^a iiii s. vi d. Et de excessu laborariorum xiii s. vi d.
Burgi.	
Hedon	x li. xiii s. iiii d. Inde de xv ^a vi li. v s. Et de excessu laborariorum lxxv s.
Rauenserod	c s. Inde de xv ^a xl s. Et de excessu laborariorum lx s.

XXV. York, E. R. Third collection.

202/53.

(The heading is somewhat misleading.)

Compotus Gerardi de Grymmeston et Iohannis Burton, collectorum x^e et xv^e tercii anni triennialium domino Regi vltima a laicis concessarum in Estrythingo in comitatu Ebor', anno regni Regis Edwardi tercii post conquestum Anglie xxviii^o, videlicet, de tercio anno solucionis earundem.

Bukross.

Estheslarton	xxxiii s. Inde de excessu laborariorum xiii s. iiii d.
Multhorp	xxx s. Inde de excessu laborariorum xvi s.
Kirkeby	xxxviii s. Inde de excessu laborariorum xv s.
Dugleby	xxxiiii s. Inde de excessu laborariorum xvi s.
Neuton iuxta Wynteryngham	} xxxii s. vi d. Inde de excessu laborariorum xvi s. iii d.
Norton	
	xxxiiii s. Inde de excessu laborariorum xvi s.

XXVI. ‡ York, N. R. Third collection.

211/24.

(Described in official catalogue as a grant of the 25th year of Edw. III because of character; but as collected in the 26th year. The heading and the amount of the penalties prove that this latter date is erroneous.)

Particule compoti Willelmi Lassels pro se, Thoma de Eton de Gyllyng, Christofero Mallore et Willelmo de Holthorp, collectoribus xv^e et x^e triennalium Regi a laicis in Northerithingo in comitatu Ebor' anno xxv^{to} concessarum, per breue Regis patens de xxvi^{to} die Ianuarii anno xxviii^o, videlicet, de tercio anno solucionis earundem.

Bradford.

Welbergh	xxiiii s. Inde in subuencionem xv ^e et x ^e de finibus, exitibus et amerciamentis operariorum vi d.
Estherlsay	xxvi s. viii d. Inde in subuencionem xv ^e et x ^e de finibus, exitibus et amerciamentis operariorum ii s.
Parua Silton	xvii s. Inde in subuencionem xv ^e et x ^e de finibus, exitibus et amerciamentis operariorum xiii s.
Silton Paynell	xx s. Inde in subuencionem xv ^e et x ^e de finibus, exitibus et amerciamentis operariorum xii s. vi d.
Keppwyk	xxviii s. Inde in subuencionem xv ^e et x ^e de finibus, exitibus et amerciamentis operariorum vi s.
Couesby	xviii s. Inde in subuencionem xv ^e et x ^e de finibus, exitibus et amerciamentis operariorum x s. ii d.
Kyrkebyknoll	xiii s. Inde in subuencionem xv ^e et x ^e de finibus, exitibus et amerciamentis operariorum xii d.

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(Note at end.)

Infra quas quidem summas continentur xv li. xiii s. vii d.
de finibus, exitibus et amerciamentis seruientium,

Extracte finium, seruientum et artificum liberate per Thomam de Seton collectoribus de Northrithingo in comitatu Ebor'.¹

Villa de Welbergh.

De Cristiana Scot quia cepit contra statutum per plegium Roberti Attounend et Iohannis atte Style. vi d.
Summa vi d.

Summa xv^e xxiiii s. Et sic deficiunt xxiii s. vi d.

Villa de Estherlesay.

De Willelmo Couherd quia cepit contra statutum per plegium Roberti, filii Stephani, et Nicholai de Scotton. xii d.

De Nicholao de Scotton pro eodem per plegium predictum. xii d.

Summa ii s.

Summa xv^e xxvi s. viii d.

Et sic deficiunt xxiiii s. viii d.

Villa de Parua Silton . . Summa xiii s. Summa xv^e xvii s. Et sic deficiunt iiii s.

Villa de Silton Paynel . . Summa xii s. vi d. Summa xv^e xx s. Et sic deficiunt vii s. vi d.

Villa de Kepewyk Summa vi s. Summa xv^e xxviii s. Et sic deficiunt xxii s.

Summa totalis istius rotuli xix li. iii d. Et sic deducte expense iusticiariorum, videlicet, lxvi s. viii d.

Et sic remanent xv li. xiii s. vii d.

¹ Formerly Exchequer, K. R., Accounts, 110/24, but Miss Martin reports that the document is broken up and not yet re-arranged; therefore no reference can be given.

XXVII. York, W. R. Second collection.

206/27.

Particule compoti Willelmi, filii Thome de Deyuill, Willelmi de Derley et sociorum suorum, collectorum
 in partibus de Westrithing annō xxv^{to} concessarum, videlicet, de secundo anno solucionis earundem.

Wapentachium de Barkeston.

Villata de Shirburn	vi li.	Inde xv ^a iiii li. x s. Et de excessu laborari- orum xxx s.
Villata de Tolleston	xviii s.	Inde xv ^a ix s. Et de excessu laborari- orum ix s.
Villata de Cawode	iiii li. x s.	Inde xv ^a l s. Et de excessu laborari- orum xl s.
Villata de Birkyn	xxiii s.	Inde xv ^a xvii s. Et de excessu laborari- orum vii s.
Villata de Mikelfeld	xxvi s.	Inde xv ^a xiii s. Et de excessu laborari- orum xiii s.
Villata de Kyrkeby	xv s.	Inde xv ^a xii s. vi d. Et de excessu laborari- orum ii s. vi d.

XXVIII. ‡ York, W. R. Third collection.

206/26. No heading.

(Described in official catalogue as belonging to one of the triennial grants of Edw. III, either of the 22nd or of the 25th year; decision from character merely. The reference to the penalties proves conclusively that it is the grant of the 25th year; and since for the first collection, Enrolled Subs., 14 reports that there were no estreats, and since 206/27 is clearly

for the second collection, it follows that this account is for the third collection.)

Wappentachium de Barkeston.

De villata de Saxton	lx s.	Inde xv ^a liii s. Et de excessu labor- ariorum vii s.
De villata de Richere	ii marce.	Inde xv ^a xxiiii s. viii d. Et de excessu labor- ariorum ii s.
De villata de Toueton	lx s. vii d.	Inde xv ^a lvi s. vii d. Et de excessu labor- ariorum iii s.
De villata de Clifford	xxxii s.	Inde xv ^a xxxi s. Et de excessu labor- ariorum xii d.
De villata de Whistowe	cvi s. viii d.	Inde xv ^a ciiii s. viii d. Et de excessu labor- ariorum ii s.
De villata de Sutton	xxxv s.	Inde xv ^a xxv s. Et de excessu labor- ariorum x s.
De villata de Stutton	ii marce.	Inde xv ^a xxv s. viii d. Et de excessu labor- ariorum xii d.

5. *Extracts from Accounts, K. R., Close Rolls, Memoranda Rolls and Pipe Rolls.* (Cf. pt. 1, ch. iii, 2, A.)

Memoranda Roll, L. T. R., no. 120.

Adhuc Breuia retornabilia de termino Sancte Trinitatis anno xxix Regis Edwardi; rot. 6.

Salop'

Rex dilecto et fideli suo Iohanni de Cherleton et sociis suis iusticiariis ad transgressionem et excessum operariorum, seruientum et artificum in comitatu Salop' puniendos assignatis, salu-

tem. Mandamus vobis quod omnes extractas finium, excessuum, exituum et amerciamentorum dictorum operariorum, seruientum et artificum coram vobis adiudicatorum penes vos adhuc remanentes et collectoribus xv^e et x^e triennalium nobis a laicis anno xxv^{to} concessarum in comitatu predicto minime liberatas, habeatis siue mittatis sub sigillis vestris vel vnus vestrum ad scaccarium nostrum apud Westmonasterium in octabis Sancti Michaelis thesaurario et baronibus eiusdem scaccarii ibidem liberandas, vt execucio pro finibus, excessibus, exitibus et amerciamentis illis leuandis ad opus nostrum celeriter fiat prout decet.

Teste thesaurario, xviii^o die Iulii. Per rotulum compotorum de taxacionibus vbi annotatur quod predicti collectores computarunt de tercio anno solucionis xv^e et x^e predictarum et per Originalia de annis xxv^{to} et xxviii^o quoad nomina iusticiariorum.

Ad quem diem predictus Iohannes vobis respondit quod non se intromisit de aliqua sessione iusticiariorum virtute alicuius commissionis Regis sibi facte prout supponitur in isto breui. Ideo nulle extracte finium, exituum et amerciamentorum penes se remanent vobis liberande.

(Similar writs to justices of labourers in many other counties.)

Memoranda Roll, L. T. R., no. 123.

Adhuc Communia de termino Sancte Trinitatis anno xxxii^o
Regis Edwardi tercii post conquestum. Adhuc Recordæ;
rot. 5.

Hereford' De extractis liberandis per Willelmum Frome et alios.

Preceptum fuit vicecomiti Hereford' per breue datum secundo die Maii hoc anno quod distringeret Willelmum de Frome, Iohannem del Oldecassel et Hugonem de Monyton, iusticiarios ad excessus operariorum, seruientum et artificum in comitatu predicto puniendos assignatos, per terras et catalla sua;

ita quod de exitibus etc. et quod haberet corpora eorum hic modo in crastino Sancti Iohannis Baptiste ad liberandum hic omnes extractas finium, exituum et amerciamentorum coram ipsis iusticiariis in sessionibus suis iusticiarie Regis predicte adiudicatorum, pretextu, videlicet, commissionis Regis eis inde facte, cuius tenor irrotulatur in Originalibus de anno xxix^{mo} Regis nunc.

Et ad dictum crastinum predicti Willelmus, Iohannes et Hugo non venerunt. Set quidam Griffinus le Walssh venit et liberauit hic quendam rotulum continentem quatuor membra titulatum sic *Extracte finium, exituum et amerciamentorum forisfactorum coram Willelmo de Frome et sociis suis iusticiariis domini Regis ad ordinationes et statuta de operariis, seruientibus et artificibus ac eciam de ponderibus et mensuris in comitatu Hereford' assignatis anno xxx^{mo} et xxxi^{mo} intrante.* Super quo habita deliberacione quia in rubeo libro huius scaccarii residente in custodia rememoratoris Regis folio xl^{mo} sub titulo *Ex quibus summoniciones fiant inter cetera scribitur quod caueant iudices vt correctos rotulos thesaurario liberent etc.* et non constat curie hic vtrum dicte extracte per dictum Griffith sic liberate sint vere et factum dictorum iusticiariorum necne, concordatum est quod ipsi iusticiarii distringantur vt prius ad liberandum hic extractas etc. vel ad aduocandum dictas extractas per dictum Griffith liberatas tanquam veras et bonas etc. Et preceptum est vicecomiti Hereford' sicut pluries quod distringat dictos iusticiarios per terras etc., ita etc. in crastino Sancti Michaelis. Et interim dicte extracte per dictum Griffith liberate remanent in custodia huius rememoratoris non summonite nec execute. Postea, videlicet, xxiiii die Nouembris dicto anno xxxii^o, predicti iusticarii venerunt per Iohannem de Stretton et Stephanum de Lugwardyn, attornatos suos, et liberarunt hic extractas predictas tanquam bonas et veras quas pro talibus aduocarunt in omni euentu; que quidem extracte liberantur Willelmo de Wellom, clerico extractarum hic in scaccario summoniende prout etc.¹

¹ Cf. app., 173.

Memoranda Roll, L. T. R., no. 121.

Adhuc Communia de termino Pasche anno xxx^{mo} Regis
Edwardi tercii. Adhuc Recordæ; rot. 7.

Northumbr' De Henrico de Percy et aliis attachiatis pro extractis de seruientibus liberandis ad scaccarium.

Comperto in quodam rotulo de extractis commissionum de audiendo et terminando in cancellaria Regis nunc de diuersis annis quod Henricus de Percy, Iohannes de Stryuelyn, Willelmus de Felton, Willelmus Basset, Iohannes Fenwyk, Thomas de Fencotes et Robertus de Tughale assignati fuerunt per literas Regis patentes de magno sigillo datas xv^o die Marcii anno xxv^{to} iusticiarii ad pacem et ad statuta apud Wyntoniam et Norhamtoniam pro conseruacione pacis edita necnon ad statutum et ordinacionem de seruientibus in comitatu Northumbr' custodienda et ad delinquentes in hac parte puniendos iuxta formam statutorum et ordinacionis predictorum, preceptum fuit vicecomiti dicti comitatus Northumbr' quod distringeret predictos Henricum de Percy et socios suos iusticiarios per terras etc., ita quod haberet corpora eorum hic in crastino Ascensionis Domini hoc termino ad liberandum hic extractas finium, exituum, amerciamentorum et excessuum coram eisdem iusticiariis adiudicatorum ¹ post festum Sancti Michaelis anno xxviii^o; ad quod festum xv^a et x^a triennales Regi a laicis anno xxv^{to} concessæ cessabant et a quo festo huiusmodi fines, exitus, amerciamenta et excessus adiudicati leuari debent ad opus Regis, sicut continetur in predictis statuto et ordinacione de seruientibus etc.

Et ante dictum crastinum Ascensionis Domini, Henricus de Percy optulit se vt filium et heredem dicti Henrici de Percy ac executorem testamenti eiusdem per Radulfum de Hull, attornatum suum, Iohannes de Stryuelyn per Adam de Esshete, attornatum suum, et dictus Robertus de Tughale in propria persona sua; et dicunt quod huiusmodi extractas liberare non possunt; dicunt enim quod dictus Henricus iam defunctus et

¹ MS. adiucatorum.

ipsi Iohannes de Stryuelyn et Robertus de Tughale simul cum sociis suis predictis virtute dictarum patencium que tunc remanserunt penes ipsum Henricum, patrem Henrici, et adhuc remanent penes dictum Henricum, filium suum, legere et publicare fecerunt patentes illas in pleno comitatu illo et punire nitebantur seruientes iuxta formam statuti et ordinacionis predictorum, et venit coram eis communitas comitatus illius et asseruit quod seruientes pro maiori parte commorantes in eodem comitatu erant de terra Scocie, et si per districcionem iuxta vim et effectum dicte ordinacionis ponerentur ad minora stipendia quam de propria voluntate sua capere vellent, statim facerent deperdaciones, incendia et homicidia et alia dampna quamplurima et ad dictas partes Scocie remearent et sic propter huiusmodi mala euitanda et propter defectum seruientum Anglicorum qui morebantur in pestilencia precedenti, videlicet, anno xxiii^o, de communi assensu omnium dictorum iusticiariorum in dictis patentibus nominatorum et tocius communitatis comitatus predicti supersederunt vltiori execucioni faciende de patentibus predictis, petentes ex causis illis quod districcioni sibi facte pro liberatione huiusmodi extractarum supersedeatur. Super quo, curia vult deliberare quid inde antequam vltius etc. Ideo dictum est eis quod expectent hic de die in diem quousque etc. Postea adiornantur vltius in statu quo nunc vsque octabas Sancti Michaelis. Ad quem diem predicti Henricus de Percy et Iohannes de Stryuelyn per dictos attornatos suos et dictus Robertus de Tughale per Iohannem de Wodehous, attornatum suum, veniunt et adiornantur vltius in statu quo nunc vsque octabas Sancti Hillarii.

Ad quem diem predicti Henricus, Iohannes de Stryuelyn et Robertus veniunt per dictos attornatos suos et adiornantur vltius in statu quo nunc vsque a die Pasche in xv dies. Ad quem diem tam predicti Henricus de Percy, Iohannes Stryuelyn et Robertus de Tughale per dictos attornatos suos quam predicti Willelmus de Felton, Iohannes de Fenwyk et Thomas de Fencotes veniunt et dicunt prout dicti Henricus, Iohannes et Robertus prius dixerant quod supersederunt execucioni faciende

de predictis patentibus ex causis premissis de communi assensu omnium ipsorum iusticiariorum et communitatis tocius dicti comitatus Northumbr'; ita quod nulle extracte penes ipsos iusticiarios vel aliquem eorundem remanent pretextu patencium predictorum. Ideo ipsi Henricus, filius Henrici, Iohannes de Stryuelyn, Robertus de Tughale, Willclmus de Felton, Iohannes de Fenwyk et Thomas de Fencotes inde sine die.

Memoranda Roll, K. R., no. 132.

Adhuc Breuia directa baronibus de termino Sancti Hillarii anno xxx^{mo} Regis Edwardi tercii; rot. 7.

Pro Radulfo de Middelnye.

Rex thesaurario et baronibus suis de scaccario, salutem. Mandamus vobis quod dilecto et fideli nostro Radulfo de Middelnye, vni iusticiariorum nostrorum ad ordinacionem et statutum de operariis, seruientibus et artificibus in comitatu Somerset' custodiendos assignatorum, decem libras per annum pro vadiis suis et clerici sui pro anno proxime preterito, si per annum integrum iuxta formam statuti predicti ad hoc intendebat vel ratam decem librarum pro tempore quo circa premissa in comitatu predicto intenderit, de exitibus extractarum finium, redempcionum et exituum forisfactorum de sessione ipsorum iusticiariorum prouenientibus, videlicet, de finibus, redempcionibus et exitibus tam ad magnates et alios virtute libertatum eis per nos et progenitores nostros concessarum et per ipsos vsitatarum quam ad nos pertinentibus, per vicecomitem comitatus predicti solui et habere faciatis.

Teste me ipso, apud Baumburgh, xi die Februarii anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

(Enrolled, Claus., 30, m. 23; under date of 10 Feb.)

Rotuli Literarum Clausarum, 30 Edw. III, m. 13.

Rex vicecomiti Somerset', salutem. Precipimus tibi quod dilecto et fideli nostro Radulfo de Middelnye, vni iusticia-

riorum nostrorum ad ordinacionem et statutum de operariis, seruientibus et artificibus in comitatu Somerset' custodienda assignatorum, videlicet, a festo Sancti Michaelis anno regni nostri Anglie vicesimo octauo si extunc circa contenta in commissione nostra sibi et sociis suis de premissis facta per vnum annum intenderit, decem libras et si minori tempore a dicto festo Sancti Michaelis dictum officium excercuerit, tunc iuxta ratam decem librarum per annum de exitibus extractarum finium, redempcionum et exituum forisfactorum de sessione iusticie predicte prouenientibus solui et habere facias.

Teste Rege, apud Westmonasterium, xxx die Maii.

Memoranda Roll, L. T. R., no. 122.

Adhuc Hillarii Precepta, anno xxxi^{mo}, rot. 4.

Somerset' et Dorset'.

Precepta facta super compotum Iohannis de Sancto Lando, nuper vicecomitis, computantis hic modo in crastino Sancti Hillarii de toto anno xxx^{mo}, Ricardo Tuberuill iam vicecomite presenti, per Iohannem Doo attornatum suum.
 debet
 xx libras quas de finibus et exitibus operariorum, seruientum et artificum, de quibus finibus et exitibus oneratur infra summam suam predictam
 et x libras quas de consimilibus finibus et exitibus soluit Radulfo Midelnye pro vadiis suis de predicto anno xxviii^o ¹ per breue Regis et literas acquietancie ipsius Radulfi de recepcione.

Memoranda Roll, K. R., no. 135.

Adhuc Breuia directa baronibus de termino Sancti Michaelis, anno xxxiii^o; rot. 28.

Pro vicecomite Somerset'

Rex thesaurario et baronibus suis de scaccario, salu-

¹ As Midelnye's year began Mich., 28 Edw. III, it really included a large part of the 29th year.

tem. Cum nuper per diuersa breuia nostra precipimus vicecomiti nostro Somerset' quod dilectis et fidelibus nostris Radulfo de Midelneye, Edmundo de Cliueden, Iohanni Hugon et Waltero de Rodeneye, iusticiariis nostris in dicto comitatu ad inquirendum de seruientibus, operariis et artificibus, videlicet, Radulfo de Middelneye pro se et clerico suo decem libras, Edmundo de Cliueden pro se et clerico suo decem libras, Iohanni Hugon decem marcas a festo Sancti Michaelis anno regni nostri Anglie vicesimo octauo, et Waltero de Rodeneye decem marcas pro anno regni nostri Anglie tricesimo, pro vadiis et expensis suis si circa contenta in commissionibus nostris eis de premissis factis per annum illum intendisset ac sessiones suas per quadraginta dies per annum fecissent iuxta ratam temporis et summarum predictarum de exitibus extractarum finium et redempcionum et exituum forisfactorum de sessionibus iusticie predicte prouenientibus solui et habere faceret, vobis mandamus quod visis breuibz ac literis acquietancie in hac parte factis, summas quas vobis constare poterit dilectum et fidelem nostrum Iohannem de Sancto Lando, tunc vicecomitem nostrum comitatus predicti, prefatis Radulfo, Edmundo, Iohanni et Waltero virtute mandatorum nostrorum predictorum rationabiliter soluisse, eidem Iohanni de Sancto Lando in compoto suo ad scaccarium predictum allocetis, recipientes a prefato Iohanne de Sancto Lando breuia et literas acquietancie supradicta.

Teste me ipso, apud Westmonasterium, xxvi die Nouembris anno regni nostri Anglie tricesimo secundo, regni vero nostri Francie decimo nono.

allo- Hoc breue allocatur in Magno Rotulo de anno xxxii^o
catur. in Item Somerset'.¹

¹ Cf. pt. I, ch. iii, s. 2, A.

Pipe Roll, 203, 32 Edw. III.

Somerset' et Dorset'. Noua Oblata.

Et Radulfo de Middeldnye, Edmundo de Clyuedon, Iohanni Hugon et Waltero de Rodeneye, iusticiariis Regis in comitatu Somerset' ad inquirendum de seruiantibus, operariis et artificibus, pro vadiis suis circa premissa facienda annis xxix et xxx, videlicet, prefato Radulfo x libras pro anno xxix, prefato Edmundo xx libras pro annis xxix et xxx, predicto Iohanni x marcas pro anno xxix, et prefato Waltero x marcas pro dicto anno xxx; xliii libras vi s. viii d. per breue Regis irrotulatum in Memorandis de anno xxxiiii Regis huius termino Michaelis et literas patentes ipsorum Radulfi, Edmundi, Iohannis et Walteri de recepcione.

Exchequer, K. R., Accounts, 110/14.

m. i. Fines, exitus et amerciamenta coram Hugone de Aston et sociis suis iusticiariis ad ordinacionem et statutum de operariis, artificibus et seruitoribus in villa de Couentre custodienda assignatis, anno regni Edwardi Regis Anglie tercii a conquestu vicesimo nono.

De Adam Liourmaker pro fine facto pro excessu, per plegium Roberti de Lapworth et Wilhelmi de Burton, xviii d.

De Adam Bataile pro eodem, per plegium Roberti de Lapworth, vi d.

De Ricardo de Leycestre pro eodem, per plegium Guidonis de Stone, vi d.

De Thoma de Stoke pro eodem, per plegium Ade de Yerdeleye, ii s.

De Alicia Stryngere pro eodem, per plegium Roberti de Lapworth, vi d.

De Iohanne, filio eiusdem Alicie, pro eodem, per plegium predicti Roberti, vi d.

	De Alicia, filia eiusdem Alicie, pro eodem, per plegium predicti Roberti,	vi d.
	De Alicia, vxore Willelmi Saym, pro eodem, per plegium predicti Roberti,	vi d.
	De Iuliana, vxore Ricárdi le Paueour, pro eodem, per plegium predicti Roberti,	vi d.
	De Iohanne Ters pro eodem, per plegium Ricardi Beler,	xii d.
	De Margareta, vxore Rogeri le Horner, pro eodem, per plegium Roberti de Lapworth,	vi d.
	De Iohanna Bagot pro eodem, per plegium Rogeri Iade et Rogeri Smyth,	vi d.
	De Iohanne Netmaker et Isabella, vxore eius, pro eodem, per plegium Roberti de Lapworth,	xii d.
	De Iohanne de Colleshull pro eodem, per plegium Willelmi Smyth,	xl d.
	De Iohanne de Warrewyk et Matilde, vxore eius, pro eodem, per plegium Willelmi de Burton,	vi d.
	De Iohanne Sexteyn pro eodem, per plegium Roberti de Lapworth,	xii d.
	De Iohanna, vxore Henrici Wyrdrawere, per plegium Iohannis Mareschal,	iiii d.
In Rotulo xxix ^o sub nomine hominum ville Couentr' in summa.	De Iohanna, vxore Iohannis Bladesmyth, per plegium Roberti de Lapworth,	iiii d.
	De Willelmo Twycros pro eodem, per plegium Willelmi Smyth,	iiii d.
	De Henrico Forsmyter et Isabella, vxore eius, pro eodem, per plegium Thome de Bretford,	vi d.
m. 2 d.	De Willelmo Cook atte Whiteseler pro assisa servisie fracta, per plegium Henrici Dilkock,	ii s.
	In Rotulo xxix ^o homine ¹ ville Couentre in summa,	vi li. i d.

¹ Instead of "sub nomine hominum."

Fines, exitus et amerciamenta coram Hugone de Aston et sociis suis iusticiariis domini Regis ad pacem Regis nec non ad statuta apud Wyntoniam et Norhamptoniam pro conseruacione eiusdem pacis edita in omnibus et singulis suis articulis in villa de Couentre custodienda et custodiri facienda assignatis, a festo Sancti Bartholomei apostoli anno regni Edwardi Regis Anglie tercii a conquestu vicesimo octauo vsque ad festum Natiuitatis Sancti Iohannis Baptiste anno regni eiusdem Regis Anglie vicesimo nono.

(12 entries.)

Has duas cedulas liberauit hic Hugo de Aston, vnus iusticiariorum infrascriptorum, ix die Iulii anno xxix Regis Edwardi tercii post conquestum, et summoniti fuerunt xvii die Iulii
 _____¹ mensis.

6. *Extracts from Accounts, K. R., Memoranda Rolls, Patent Rolls and Pipe Rolls.* (Cf. pt. 1, ch. iii, 2, B.)

Memoranda Roll, K. R., no. 133.

Adhuc Breuia directa baronibus de termino Sancti Michaelis anno xxxi^o Regis Edwardi tercii; rot. 8.

Pro Simone archiepiscopo Cantuariensi.

Rex thesaurario et baronibus suis de scaccario, salutem. Cum nuper per cartam nostram concesserimus bone memorie Iohanni de Stretford, tunc archiepiscopo Cantuariensi, quod ipse et successores sui habeant imperpetuum omnes fines pro transgressionibus et aliis debitis quibuscumque et eciam fines pro licencia concordandi ac omnia amerciamenta, redempciones et exitus forisfactos ac forisfacturas, annum, diem et vastum et streppum et omnia que ad nos et heredes nostros pertinere poterunt de huiusmodi anno, die et vasto et murdris, de omnibus hominibus et tenentibus de terris et feodis suis in quibuscumque curiis nostris et heredum nostrorum homines et tenentes

¹ Faded; some such word as "supradicti."

illos, tam coram nobis et heredibus nostris in cancellaria nostra et heredum nostrorum ac coram thesaurario et baronibus nostris et heredum nostrorum de scaccario ac coram iusticiariis nostris et heredum nostrorum de banco ac coram senescallo et marescallo seu clerico mercati hospicii nostri et heredum nostrorum qui pro tempore fuerint et aliis curiis nostris et heredum nostrorum quam coram iusticiariis itinerantibus ad communia placita et ad placita foreste et quibuscumque aliis iusticiariis et ministris nostris et heredum nostrorum, tam in presencia nostra et heredum nostrorum quam in absencia nostra et heredum nostrorum, fines facere vel amerciari, exitus forisfacere, annum, diem et vastum seu forisfacturas et murdra adiudicari contigerit; que fines, redempciones, exitus, annus, dies, vastum siue streppum, forisfacture et murdra ad nos vel heredes nostros possent pertinere si prefato archiepiscopo et successoribus suis predictis concessa non fuissent; ita quod idem archiepiscopus et successores sui predicti per se vel per balliuos et ministros suos fines, amerciamenta, redempciones, exitus et forisfacturas huiusmodi hominum et tenencium suorum predictorum et omnia que ad nos vel heredes nostros pertinere poterunt de anno, die et vasto siue streppo et murdris predictis leuare percipere et habere possint, sine occasione vel impedimento nostri vel heredum nostrorum iusticiariorum, escaetorum, vicecomitum, coronatorum aut aliorum balliuorum seu ministrorum quorumcumque, prout in carta nostra predicta plenius continetur, et licet vobis mandauerimus quod venerabilem patrem Simonem, nunc archiepiscopum loci predicti, huiusmodi fines, amerciamenta, redempciones, exitus et forisfacturas hominum et tenencium suorum predictorum habere et percipere permetteretis iuxta tenorem carte nostre supradicte, vos tamen fines, amerciamenta, redempciones et exitus forisfactos hominum et tenencium ipsius archiepiscopi laboratorum, seruientum et artificum coram iusticiariis nostris ad inquirendum de excessibus huiusmodi artificum et seruientum assignatis adudicata et affrata, eidem archiepiscopo ad dictum scaccarium allocare non curatis, vt accepimus, in ipsius archiepiscopi dampnum non

modicum et contra tenorem carte nostre supradicte. Nos nolentes eidem archiepiscopo iniuriari in hac parte, vobis mandamus quod eidem archiepiscopo fines, amerciamenta, redemptiones et exitus forisfactos huiusmodi hominum et tenencium suorum laboratorum, seruientum et artificum ad scaccarium predictum allocari faciatis iuxta formam carte nostre supradicte. Et si causa subfuerit quare id facere minime debeatis, tunc nos de causa illa reddatis sub sigillo scaccarii predicti distincte et aperte sine dilacione cerciores, hoc breue nobis remittentes.

Teste me ipso, apud Westmonasterium, xviii die Octobris, anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

Hoc breue remittitur cancellarie unacum certificacione de causa vnde fit mencio superius in breui, sicuti continetur alibi in hiis Memorandis inter Recorda de hoc termino.

Ibid., rot. 13.

Pro Iohanne de Stretford archiepiscopo Cantuariensi.

Rex thesaurario et baronibus suis de scaccario, salutem. Cum nuper per cartam nostram concesserimus (Then follows a copy of the charter given in rot. 8 as far as "et licet") et licet vobis mandauerimus quod venerabilem patrem Simonem iam archiepiscopum Cantuariensem huiusmodi fines, amerciamenta, redemptiones, exitus forisfactos et forisfacturas hominum et tenencium suorum laboratorum, seruientum, artificum et regratatorum ad scaccarium allocari faceretis iuxta formam carte nostre supradicte, vos nichilominus asserentes ea ad nos ex certis causis pertinere debere, predicta fines, amerciamenta, redemptiones, exitus et forisfacturas prefato archiepiscopo ad dictum scaccarium allocare non curatis; super quo idem archiepiscopus nobis supplicauit sibi per nos de remedio prouideri. Et quia super dicto negocio ex certis causis coram nobis et consilio nostro propositis volumus plenius informari, vobis mandamus quod exactionem quam facitis prefato archiepiscopo aut hominibus et tenentibus de terris et feodis suis pro huius-

modi finibus, redempcionibus, exitibus forisfactis aut forisfacturis hominum et tenencium suorum laboratorum, seruientum, artificum aut pistorum, braciatricium et victualium venditorum quorumcumque, ponatis in respectum vsque ad proximum parliamentum nostrum vt tunc dictum negocium discuti valeat plenius et terminari.

Teste me ipso, apud Westmonasterium xxviii^o die Octobris, anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

Ibid.

Adhuc Breuia directa baronibus de termino Sancti Hillarii, anno xxxi^{mo} Regis Edwardi tercii; rot. 2 d.

Pro Simone archiepiscopo Cantuariensi.

(A month later, on further complaint of the archbishop, a writ of the great seal is issued to the treasurer and barons, stating that certain justices of assize, gaol delivery and of oyer and terminer had "subtiliter" marked certain estreat rolls of penalties as due to the king instead of to the archbishop, and had then appropriated them to their own use. The archbishop's claim to these penalties is based on the charter above quoted.)

Et quia cum consilio ¹ nostro super premissis deliberacionem habere volumus, vobis mandamus quod demande prefato archiepiscopo aut eius tenentibus pro huiusmodi denariis Regis leuatis aut pro finibus, amerciamentis, redempcionibus, exitibus forisfactis aut forisfacturis pro extorcionibus, oppressionibus, excessibus, transgressionibus, catallis felonum et fugitiuorum dictum archiepiscopum aut homines et tenentes suos, licet eorum aliqui ministri nostri fuerint concernentibus, et ex parte dicti archiepiscopi in scaccario clamatis et vendicatis, ac leuacioni summarum dicto archiepiscopo seu eius in hac parte attornato ad scaccarium predictum occasionibus premissis seu

¹ MS. conesilio.

eorum aliqua de allocacionibus et respectibus per vos factis seu faciendis supersedeatis vsque ad quindenam Sancte Trinitatis proxime futuram vt interim habito inde cum dicto consilio nostro pleno auisamento vltcrius de premissis, fieri faciamus quod de iure fuerit faciendum.

Teste me ipso, apud Westmonasterium, xxx die Nouembris, anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

Ibid.

Adhuc Communia de termino Sancti Michaelis, anno xxxi^o
Regis Edwardi tercii a conquestu; adhuc Recorda.

Kanc'

Certificacio facta domino Regi in cancellaria sua pro archiepiscopo Cantuariensi.

Dominus Rex mandauit hic breue suum de magno sigillo suo quod irrotulatur inter Breuia directa baronibus de hoc termino Rotulo viii in hec verba: (see copy, app., 373).

Quod quidem breue remittitur cancellarie, vnacum certificacione de causa vnde fit mencio superius in breui in hec verba. Non est processum ad allocacionem faciendam archiepiscopo Cantuariensi de finibus, amerciamentis, redempcionibus et exitibus forisfactis hominum et tenencium ipsius archiepiscopi laboratorum, seruientum et artificum iuxta tenorem breuis huic cedulae consuti, eo quod in statuto anno regni domini Regis nunc Anglie vicesimo quinto super malicia seruientum et laborariorum restringenda edito inter alia continetur quod . . .

(There follows a literal translation in Latin of the clause of the statute of labourers beginning "Item que viscontes" and ending "soit leue al oepe le Roi et respondu a lui par le viscont du countee;" app., 16.)

Pretextu quorum verborum, apparet quod fines, redempciones, excessus et amerciamenta dictorum seruientum et labor-

ariorum leuanda sunt ad opus Regis, absque aliqua allocacione inde facienda alicui libertati, eo quod quintadecima iam cessauit.

Memoranda Roll, K. R., no. 136.

Adhuc Breuia directa baronibus de termino Pasche, anno xxxiiii^{to} Regis Edwardi tercii; rot. 9 d.

Pro vicecomiti Kanc'.¹

Rex thesaurario et baronibus suis de scaccario, salutem. Cum nuper per cartam nostram concesserimus bone memorie Iohanni, archiepiscopo Cantuariensi, inter cetera sibi per nos concessa quod ipse et sucessores sui imperpetuum habeant omnes fines . . . (There follows a summary of the charter as already given, ending with "prout in carta predicta plenius continetur.") et in statuto nuper apud Westmonasterium ad diem Lune proximum post septimanam Pasche, anno regni nostri Anglie tricesimo primo, quod domini libertatum qui fines, exitus et amerciamenta per cartas regias aut alio modo habent, extunc huiusmodi fines, exitus et amerciamenta laboratorum, artificum et operariorum que ad ipsos dominos de iure pertinent, quamdiu iusticiaria huiusmodi laboratorum duraret, habent; ita semper quod dicti domini contribucionem solucioni feodorum huiusmodi iusticiariorum laboratorum iuxta ratam proficuorum que inde percipient faciant, vobis mandamus quod venerabili patri Simoni nunc archiepiscopo Cantuariensi omnia exitus forisfactos, fines et amerciamenta de omnibus hominibus et tenentibus de terris et feodis suis coram dilectis et fidelibus nostris Radulfo de Frenyngham et sociis suis nuper iusticiariis ad inquirendum de laboratoribus, artificibus² et operariis in comitatu Kanc' assignatis qui sessiones suas inde die Lune proximo post festum Sancti Michaelis, dicto anno tricesimo primo, apud Dertford, primo inceperunt, sicut per certificacionem Willelmi de Roderham, nuper vnus iusticiariorum pre-

¹ MS. Linc'; so clearly a slip on the part of a clerk that I have ventured to change it. See "in comitatu Kanc'" *infra*.

² MS. artificiiis.

dictorum, in cancellariam nostram de mandato nostro missam plenius poterit apparere, ab eodem die Lune affrata et adiudicata liberari et habere et omnes et singulas libertates et quietancias in dicta carta nostra contentas iuxta vim et effectum carte illius eidem archiepiscopo ad dictum scaccarium de tempore in tempus allocari faciatis, ita tamen quod predictus archiepiscopus solucioni feodorum dictorum iusticiariorum ab eodem die Lune contribuant vt premittitur, iuxta formam statuti supradicti.

Teste Thoma filio nostro carissimo, custode Anglie, apud Westmonasterium xvi die Maii, anno regni nostri Anglie tricesimo quarto, regni vero nostri Francie vicesimo primo.

Cf. Mem. L. T. R., 34, Pasch., Precepta; Kanc'.

Facta summa Roberti Vynter, senescalli archiepiscopi Cantuariensis

(The archbishop obtains 28 l. 7 s. 8 d. in penalties before Frenyngham and his companions, per schedule attached to the roll, the allowance being granted on the basis of his charter and of the above writ.)

Cf. also *ibid.*, Trin., Precepta; Surrey and Sussex, for a similar claim.

Memoranda Roll, L. T. R., no. 123.

Adhuc Michaelis Precepta anno xxxii^o; rot. 12.

Norht'

Precepta facta super compotum Walteri Parles vicecomitis computantis hic modo in crastino Sancti Martini de toto anno xxxi^o.

Libertas ducis Lanc' capta fuit in manum Regis et adhuc remanet, sicut continetur inter Precepta de termino Sancti Michaelis anno xxx^o.

(Schedule attached to the roll.)

Norht'

De extractis finium et amerciamentorum opera-

riorum, artificum et seruientum coram Iohanne de Alueton et sociis suis iusticiariis eorundem in diuersis comitatibus infra libertatem ducis Cornub' audiendum et terminandum¹ assignatis a xiiii die Marcii, anno xxx^o vsque ad eundem diem anno xxxi^o.

Charwalton.

De Thoma Fleysheuer, falcatore, pro excessu, per plegium Iohannis Eyr, xii d.

De Ricardo Milneward, metttore, pro eodem, per plegium predictum, xii d.

De Thoma Honte, falcatore, pro eodem, per plegium predictum, xii d.

Summa iii s.

Eston cum Hulcote.

Walterus De Iohanne Attehalle, mason, pro eodem, per plegium Iohannis Roberti, xl d.

Parles De Iohanne Keyfot, falcatore, pro eodem, per plegium Willelmi Hobbis, vi d.

Norht' De Iohanne Amyson, s[eruiente], pro eodem, oneratur per plegium Willelmi Colin, ii s.

in Rotulo De Waltero Warde, tritulario, pro eodem, per xxxi^o de plegium predictum, ii s.

debitis in De Thoma Bankar, carnifice, pro eodem, per ista cedula plegium Willelmi Hobbis, ii s.

contentis. De Emma, vxore eius, metttore, pro eodem, per plegium predictum, vi d.

De Galfrido Knotte, seruiente, pro eodem, per plegium predictum, ii s.

Blacolnesle.

De Thoma Smyth, fabro, pro eodem, per plegium Willelmi Hay, ii s.

¹ The omission of the "ad" before the gerund or gerundive has already been referred to; *cf. app.*, 28, note 1.

De Henrico Howes quia non venit,	iii d.
De Iohanne Taylour et Thoma Smyth quia non habent,	iiii d.
De Iohanne Warde pro eodem,	iii d.
De Simone Knyght et Elia Soc quia non habent,	iiii d.
De Elia Wryghte pro eodem,	iii d.
De Nicholao Leche et Iohanne Petifer quia non habent,	iiii d.
De Hugone Simound pro eodem,	iii d.
De Iohanne Norton et Iohanne Linnden quia non habent,	iiii d.
De Petro Howes pro eodem,	iii d.
De Willelmo Hay et Ricardo Campyoun quia non habent,	iiii d.
Summa xx s. iii d.	

(Endorsed.)

Ista cedula extracta est de Originali de quo titulus scribitur ex alia parte istius cedule et examinatur ac liberatur hic per Willelmum de Wellum, custodem extractarum hic in scaccario, xxiiii die Nouembris, anno xxxi Regis Edwardi tercii post conquestum.

Facta summa dicti vicecomitis debentis xlvii li. xiiii s. xi d. ob. q^a.

Infra quam summam oneratur de xx s. iii d. de excessibus et amerciamentis operariorum per extractas finium, excessuum et amerciamentorum operariorum, artificum et seruientum coram Iohanne de Alueton et sociis suis iusticiariis eorundem in diuersis comitatibus infra libertatem ducis Cornubie audiendum et terminandum¹ assignatis a xiiii^o die Marci anno xxx^o vsque ad eundem diem

¹ For the omission of the "ad," *cf.* app., 28, note 1.

In Rotulo
xxxi^o
in Item
Norht'.

anno xxxi^o, videlicet, pro diuersis de quibus dicit principem Wallie per balliuos et ministros suos leuasse eosdem xx s. iii d. ad opus ipsius principis particulariter; quorum particule et nomina eorum de quibus leuantur extrahuntur de extracta predicta et liberantur hic per Willelmum de Wellum, custodem extractarum hic in scaccario, in quadam cedula huic rotulo tachiata; super quo dictus princeps presens hic per Willelmum de Spridelyngton, attornatum suum, admissum ad cognoscendum recepcionem huiusmodi finium, excessuum, exituum et amerciamen-
torum operariorum et ad onerandum ipsum principem inde, sicut continetur alibi in hiis Memorandis inter Attornatos de hoc termino, et super premissis allocutus cognouit se per balliuos et ministros suos leuasse et recepis-
se predictos xx s. iii d. et proinde se velle et debere onerari versus Regem de eisdem xx s. iii d. in exoneracionem dicti vicecomitis. Ideo concordatum est quod idem vicecomes exoneretur erga Regem de eisdem xx s. iii d. et quod dictus princeps inde oneretur pretextu cognitionis sue predictae.

Memoranda Roll, L. T. R., no. 125.

Adhuc Trinitatis Precepta anno xxxiiii^{to}; rot. 6.

Surr', Sussex.

Precepta facta super compotum Thome de Hoo nuper vicecomitis computantis hic modo in crastino Sancti Iohannis Baptiste de toto anno xxxiii^o, Rogero Daber nunc vicecomite presenti per Walterum atte Broke, attornatum suum.

Abbas Fiscampi clamat et vicecomes oneratur.

(Schedule attached to the roll.)

Sussex.

De finibus, excessibus, exitibus et amerciamentis coram Andrea Peuerell et sociis suis iusticiariis Regis ad inquirendum [de] operariis, artificibus, seruientibus, vittellariis ac eciam de ponderibus et mensuris in comitatu Sussex' audiendum et terminandum assignatis, annis xxxi^o et xxxii^{do}.

Burgus de Horsham. De Waltero Feldere de excessu et fine, per plegium Roberti Frenshe, xii d.

Hundredum de Stenyng. De Agnete de Muleward de excessu et fine, per plegium Willelmi Calewe, xii d.

De Iuliana Quay de excessu et fine, per plegium predictum, xii d.

(All the entries are similar to the above; there are sixteen for the Hundred of Stenyng, twenty-five for the Burg of Stenyng, seven for Terryng and two for the Hundred of Britford. The amounts are usually 12 d. and 6 d.; but there are a few larger ones.)

Summa .iiii li. .iiii s. .ii d.

Et oneratur infra summam predictam de .iiii li. .iiii s. .ii d. de excessibus et finibus diuersorum per rotulum, videlicet, de finibus, excessibus, exitibus et amerciamentis coram Andrea Peuerell et sociis suis iusticiariis operariorum in comitatu Sussex' assignatis annis xxxi^o et xxxii^{do}; quos quidem .iiii li. .iiii s. .ii d. abbas de Fiscampo presens per Iohannem de Holt, attornatum suum, clamat ad ipsum abbatem pertinere debere per cartas Regis, vt de finibus hominum et integre tenencium suorum apud Horsham, Stenyng et alios locos¹ in comitatu

¹ MS. aliis locis.

Sussex' et quorum quidem iiii li. iiii s. ii d. particule et nomina eas debencium continentur in quadam cedula quam dictus abbas per dictum attornatum suum liberauit hic, et que taciatur huic rotulo; super quo clameo dictus nunc vicecomes, videlicet, Rogerus Daber presens hic per Walterum atte Brok, attornatum suum, allocutus, iuratus et examinatus dicit per sacramentum suum quod omnes debitores quorum nomina continentur in dicta cedula sunt homines et integre tenentes dicti abbatis in diuersis locis in comitatu Sussex'. Nichilominus, nondum fit allocacio de predictis iiii li. iiii s. ii d., eo quod in statuto facto apud Westmonasterium die Lune proximo post septimanam Pasche anno xxxi^o, concordatum fuit quod (There follows a literal translation in Latin of the clause giving the penalties to the lords; app., 18) et viso titulo dicte extracte per quam dicti iiii li. iiii s. ii d. de excessibus et finibus exacti fuerunt, non fit mencio in eodem titulo nec alibi in dicta extracta quantum de eisdem iiii li. iiii s. ii d. sunt de finibus et quantum de excessibus, nec quantum inde nomine finium admissum fuit ante dictum diem Lune proximum post septimanam Pasche anno xxxi^o et quantum post. Ideo concordatum est quod mandetur prefatis iusticiariis quod certificent hic inde. Et mandatum est eis per breue cuius transscriptum dicte cedule tachiatur pro informacione etc., ita quod certificent hic in octabis Sancti Michaelis. Et idem dies datus est prefato abbati ad audiendum, faciendum et recipiendum inde quod etc. Et tam dictus abbas quam dictus vicecomes interim habeant respectum etc. Iniunctumque est eidem abbati quod interim sequatur, ita quod certificacionem dictorum iusticiariorum habeat hic inde ad dictas octabas alioquin tunc fiet executio versus ipsum abbatem de predictis iiii li. iiii s. ii d. tanquam de claro debito.¹ Et postmodum, videlicet, ad dictas octabas Sancti Michaelis predicti iusticiiarii operariorum non certificarunt pro dicto abbate de Fiscampo nec idem abbas venit ad proseque-

¹There follow here statements as to the payment of the salaries of the justices of labourers as well as some other accounts, none of them concerned with the abbot's claim.

dum allocacionem suam de predictis iiii li. iiii s. ii d. Ideo fiat executio versus ipsum abbatem inde quousque aliud etc. Et preceptum est vicecomiti quod non omittat propter libertatem ipsius abbatis quin etc. et fieri faciat; ita etc. in crastino Sancti Martini Regi in exonerationem dicti nuper vicecomitis solvendum, sicut continetur in Memorandis de anno xxxv^{to} inter Breuia retornabilia de termino Sancti Michaelis. Postea dictus abbas de Fiscampo venit per dictum attornatum suum et dicit quod licet diligenter prosecutus fuerit versus dictos iusticiarios operariorum de habendo certificacionem quantum est de finibus et quantum de excessibus de iiii li. iiii s. ii d. predictis, iidem tamen iusticiarii certificacionem illam facere distulerunt hucusque, petens quod mandetur eisdem iusticiariis vt prius. Ideo mandetur eis sicut alias; ita etc. in octabis Sancti Hillarii. Et idem abbas interim habeat respectum etc.

Ad quem diem, predictus abbas venit per dictum attornatum suum. Et prefati Andreas Peuerell et socii sui iusticiarii retornant breue cum quadam cedula eidem tachiata et mandant quod omnes fines et excessus in eadem cedula contenti facti et adiudicati fuerunt coram eisdem iusticiariis die Lune proximo post quindenam Sancti Michaelis anno xxxi^o. Qua quidem cedula visa et cum dicto rotulo de finibus examinata concordant in nominibus et summa totali predictorum iiii li. iiii s. ii d. De qua summa, xxxv s. vi d. sunt de finibus et xlvi s. viii d. sunt de excessibus coram eis receptis et adiudicatis in forma predicta. Et scrutatis rotulis super allocacionibus factis prefato abbati de huiusmodi finibus tenencium suorum, compertum est in Magno Rotulo de anno xxxiii^o in Glouc'¹ quod huiusmodi fines allocantur prefato abbati per libertatem cartarum Regis. Ideo consideratum est quod fiat allocacio eidem abbati de predictis xxxv s. vi d. de finibus predictis et quod de residuis xlviii s. viii d. qui sunt de excessibus satisfiat Regi, prout etc.²

¹ Cf. app., 387-388.

² See app., 384, note 1.

(*Cf.* Mem. L. T. R., 33, Mich., Recorda, rot. 14; Norht'. De clameo abbatis de Burgo Sancti Petri, for examples of the writ and certificate referred to.)

Edwardus ¹ [etc.], Hugoni de Northburgh et sociis suis [etc.] Volentes certis de causis cerciorari que et quot fines, amerciamenta et exitus forisfacti in sessionibus vestris anno regni nostri Anglie tricesimo primo vsque ad clausum Pasche eodem anno, quo die parliamentum nostrum incepit, facta, affrata et adiudicata fuerunt et de quibus personis, vobis mandamus quod scrutatis rotulis vestris de sessionibus predictis nos inde sub sigillis vestris in cancellaria nostra reddatis distincte et aperte certiores, hoc breue nobis remittentes.²

Teste me ipso [etc.].

Quod quidem breue indorsatur sic. Responsum Hugonis de Northburgh, iusticiarii etc.

Omnia fines, amerciamenta et exitus forisfacti de sessione nostra de anno xxxi^o mandauimus ad scaccarium domini Regis per extractas nostras que versus curiam remanent, vt patet per rotulos et extractas nostros predictos. Set ante clausum Pasche eodem anno xxxi^o nulla fuerunt fines, amerciamenta, nec exitus forisfacti coram nobis afforata vel adiudicata.

(The following writ recorded in the latter claim usually appears:)

Edwardus [etc.], thesaurario et baronibus de scaccario, salutem. Quandam certificacionem nobis in cancellaria nostra ad mandatum nostrum missam vobis mittimus sub pede sigilli nostri presentibus interclusam, mandantes vt inspecta certificacione predicta vltcrius ad prosecucionem dilecti nobis in Christo abbatis de Burgo Sancti Petri coram vobis in scaccario predicto facere valeatis, quod de iure et secundum legem et consuetudinem regni nostri Anglie fore videritis faciendum.

Teste me ipso [etc.].

¹ The usual form.

² In some cases the separation of fines from excess is also mentioned.

Exchequer, K. R., Accounts, 110/25. Gloucester.

Glouc' Abbas de Fiscampo clamat et oneratur.

De extractis finium, exituum et amerciamentorum coram Thoma de Berkeley de Cubberle et sociis suis iusticiariis domini Regis de laborariis, artificibus et seruatoribus ac de ponderibus et mensuris in comitatu Glouc' audiendum et terminandum assignatis, a festo Sancti Michaelis anno xxxi^o vsque festum Sancti Michaelis anno xxxii^{do}.

Summa totalis xxiii li. vi s. viii d.; quam quidem summam abbas de Fiscampo per Willelmum Mayel, ballium suum, clamat ad ipsum abbatem pertinere debere per libertatem dicti abbatis vt de hominibus et integre tenentibus suis in diuersis villis et locis in comitatu predicto.

(Endorsement.)

Has iii cedulas liberauit hic abbas de Fiscampo per Willelmum Maiel, attornatum suum, super compotum vicecomitis Glouc' ad quindenam Purificacionis beate Marie Virginis, anno xxxiiii^{to} Regis Edwardi tercii, et clamat omnia debita in predictis cedulis contenta ad ipsum abbatem pertinere per libertatem, vt de finibus hominum et integre tenencium suorum in diuersis villis et locis in comitatu predicto.

(Parts of the roll are illegible, but nearly all the legible entries are "de fine pro eodem," i. e. "excessu," or merely "pro fine.")

Pipe Roll, 204, 33 Edw. III. Glouc'.

Abbas de Fiscampo per Willelmum Mayel, attornatum suum, reddit compotum de xxii li. vi s. viii d. de pluribus debitis sicut infra continetur, videlicet, de finibus diuersorum hominum et tenencium ipsius abbatis in diuersis villatis huius comitatus, quorum hominum et tenencium nomina et summe finium illorum continentur in tribus cedulis vnde idem abbas oneratur inter totalia sua in rotulo de extractis finium, exituum et amercia-

mentorū coram Thoma de Berkele de Cubberle et sociis suis iusticiariis Regis de laborariis, artificibus et seruitoribus ac de ponderibus et mensuris in eodem comitatu audiendum et terminandum assignatis, a festo Sancti Michaelis anno xxxi vsque festum Sancti Michaelis anno xxxii^{do}; quas quidem cedulas idem abbas per dictum attornatum suum super hunc compotum liberauit et que sunt inter billas de termino Sancti Hillarii anno xxxiiii^{to} Regis huius vt de clameo ipsius abbatis super compotum vicecomitis Glouc' de hoc anno xxxiii^o redditum ad quindenam Purificacionis beate Marie dicto anno xxxiiii^{to}, sicut continetur in Memorandis de eodem anno inter Precepta de termino Sancti Hillarii. In thesauro nichil. Et eidem abbati et monachis de Fiscampo cuius homines et tenentes in predictis tribus cedulis contenti integre sunt sicut vicecomes testatur, xxii li. vi s. viii d. predicti per libertatem carte Regis et per breue Regis irrotulatum in Memorandis de dicto anno xxxiiii^{to}, termino Pasche. In quo continetur quod quia dicti abbas et monachi per cartas progenitorum Regis quondam Regum Anglie clamant habere diuersas libertates et quietancias quibus ipsi et predecessores sui abbates et monachi loci predicti a tempore confeccionis cartarum predictarum vsi sunt, sicut dicunt, Rex per idem breue mandat baronibus quod ipsos abbatem et monachos et eorum procuratores libertatibus et quietanciis predictis et earum qualibet in scaccario coram eis vti et gaudere permittant, eas eis allocantes iuxta tenorem cartarum predictarum, prout ipsi et predecessores sui ac eorum procuratores vti et gaudere consueuerunt, et per scrutinium inde factum et consideracionem baronum annotatam in Memorandis de dicto anno xxxiiii^{to}, et sicut huiusmodi fines allocantur abbati et monachis de Fiscampo in Rotulo xvi Regis Henrici in Sussex' per libertatem cartarum Regis adiudicatam per dominos Wyn-toniensem, Bathoniensem, Dunolmiensem et Cicestriensem, episcopos, et per dominos S. de Segraue, tunc iusticiarium, et Ricardum, comitem marescallum, et sicut allocatum est eisdem abbati et monachis in Rotulo xxii^o Regis Edwardi, filii Regis Henrici, in Item Sussex'. Et quietus est.

Rotuli Literarum Patencium, 32 Edw. III, pt. 1, m. 19.

Pro priore et fratribus de Henton, ordinis Cartusiensis.

Rex omnibus ad quos etc., salutem. Supplicarunt nobis dilecti nobis in Christo prior et fratres de Henton, ordinis Cartusiensis, vt cum domus sua in loco solitudinis situetur, et iuxta ordinis sui regulam, extra domum predictam pro victuum suorum necessariis querendis personaliter exire nequeant et paucos aut nullos tenentes ad deseruiendum eis pro terris suis excolendis de quarum prouentibus sustentacio sua pro maiori parte prouenit habeant, dictique tenentes et alii qui circa culturam terrarum suarum et alia necessaria sua laborant ad prosecutionem quorundam eisdem tenentes et seruientes grauare machinancium, adeo coram iusticiariis nostris ad statutum et ordinationem de operariis, seruientibus et artificibus conseruanda per amerciamenta et grauamina diuersa, ratione more sue in seruicio dictorum prioris et fratrum infestati sint et inquietati, quod in eorum seruicio morari non audent, et si forsan ipsi tenentes et seruientes taliter ab eorum seruicio recederent, de eorum prioris et fratrum sustentacione disperaretur, velimus indemnitati eorundem prioris et fratrum ac tenencium et seruientum suorum ne per huiusmodi callidas machinationes pregrauentur prouidere gracie. Nos statui dictorum prioris et fratrum qui semper in domo sua predicta remanent sic inclusi compacientes, volentesque consideracione premissorum predictis priori et fratribus vt ipsi diuinis obsequiis iuxta ordinis sui regulam melius et quiecius intendere valeant gratiam facere specialem, concessimus pro nobis et heredibus nostris prefatis priori et fratribus omnia fines, redempciones, exitus forisfactos et amerciamenta que ad nos pertinent vel pertinere poterunt pro transgressionibus, delictis et excessibus quibuscumque de quibus ipsi tenentes et seruientes coram dictis iusticiariis sunt impetiti, vel impeti aut occasionari valeant in futurum, durante statuto et ordinatione predictis; ita quod iidem prior et fratres et successores sui per balliuos suos fines, redempciones, exitus forisfactos et amerciamenta tenencium et seruientum suorum

predictorum coram predictis iusticiariis adiudicata et adiudicanda per extractas ipsorum iusticiariorum eisdem balliuis liberandas leuare, colligere et percipere possint sine occasione vel impedimento nostri vel heredum nostrorum, iusticiariorum, vicecomitum, coronatorum aut balliuorum seu ministrorum nostrorum quorumcumque. Concessimus eciam prefatis priori et fratribus quod ipsi vel fratres conuersi eiusdem domus, aut alii seruientes sui pro coriis de animalibus suis propriis vel pro aliis coriis per ipsos ad opus ipsorum prioris et fratrum emptis vel emendis et in tannaria domus sue predictae tannatis vel tannandis, et postmodum pro eorum commodo pro precio inter ipsos et dictorum coriorum emptores concordato venditis seu vendendis ratione empicionis vel vendicionis huiusmodi coram prefatis iusticiariis aut aliis ministris nostris non impetantur, molestentur in aliquo seu grauentur.

In cuius etc., teste Rege, apud Westmonasterium, xiiii die Aprilis.

Per ipsum Regem.

Consimiles literas Regis habent prior et fratres de Witham eiusdem ordinis, sub eadem data.

(*Cf.* Mem. K. R., 35, Mich., Breu. Baron., rot. 1 d; Pro priore de Henton. A writ of the great seal to the treasurer and barons ordering the allowance to be made in accordance with the letter patent.¹)

¹In this enrollment the letter patent is referred to as dated 14 Aug. instead of 14 April.

E. RECORDS OF THE OLD LOCAL COURTS. (Cf. pt. ii, ch. i.)

For an account of the sources, see app., 3, and pt. ii, ch. i.

Extracts from Assize Rolls and Court Rolls.

Chester, Palatinate of. Indictment Roll, 4. 27 Edw. III—
I R. II. 45 membranes.¹

Indictamenta de Officio ad Comitatum Cestriae.

m. 4 d. Inquisicio capta apud Wycum Malbum coram Thoma de Dutton, vicecomite, die Lune proximo ante festum Conuersionis Sancti Pauli, anno regni Regis Edwardi tercii a conquestu tricesimo primo, per sacramentum Ricardi de Munshull et aliorum etc. qui dicunt super sacramentum suum quod Agnes Tope, reper, nuper manens in Worleston, Matheus le Walshemon, tasker et communis malefactor, manens in Hurdeleston, Matilidis, filia Ricardi Hobbekynessone, ceperunt nimium stipendium contra statutum. Et quod Willelmus Blundel, cartewright, cepit duos solidos communiter pro factura vnus carecte, ii s. contra statutum etc. Et quod Willelmus Arthur, laborer, est communis transgressor et cepit nimium stipendium contra statutum etc.

(Similar presentments on the following Wednesday.)

m. 9 d. Comitatus Cestr', die Martis proximo post festum Sancte Trinitatis, anno regni xxxiii^o.

Coram vicecomite.

Inquisicio capta apud Goldbournford coram Thoma de Dutton, vicecomite etc., die Veneris proximo post festum Sancti Iohannis ante Portam Latinam, anno tricesimo tercio.

¹ *List of Plea Rolls*, under the heading: "Assize Rolls."

(Presentments by jurors.)

Et quod Mad *¹ le Taxeser, manens in Salghton, fregit statutum per mercedem incongruum.

Inquisicio capta coram prefato vicecomite, predictis die et loco per sacramentum.

Qui dicunt super sacramentum suum quod Iohannes,* prepositus de Coton, conduxit messoros et alios operarios nimis excessiue ad opus abbatis Cestr' contra statutum, anno regni domini Regis nunc Anglie tricesimo secundo. Et quod Ricardus de Coton* conduxit operarios contra formam statuti, anno regni domini Regis nunc Anglie vicesimo nono apud Sutton. Et quod Hugo le Walshemon* manens in Cestria, mower, cepit salarium contra statutum, anno regni domini Regis nunc tricesimo secundo, et quod Ricardus de Biyonde,* operarius, cepit eodem modo, eodem anno. Et quod Elena, seruiens Ricardi le Strenger, manens in Cestr' venit in forinceco, anno regni domini Regis nunc tricesimo secundo et cepit salarium contra statutum etc. Et quod Iohannes de Aston, quondam seruiens Ade, filii Thome de Wyruyn, operarius, cepit salarium contra statutum, anno regni domini Regis nunc Anglie tricesimo secundo.

(Presentments for felonies interspersed among these for excess wages.)

Court Rolls, Portfolio 176, no. 6.²

Gloucester, Slaughter Hundred.³ 28-29 Edw. III.

¹ The asterisk indicates that "finis" is over the name.

² *List and Index of Court Rolls preserved in the Public Record Office.* The remaining references in this section are to this same *List and Index*.

³ At this period Slaughter hundred was held by the abbey of Fiscampe of William de Clinton, earl of Huntingdon; Rudder's *Gloucestershire* (1779), 665, 6. I am indebted to Miss M. T. Martin for this reference.

m. 6. Sloughtr' hundredum tentum ibidem die Martis tercio die Marcii, anno regni Regis Edwardi tercii post conquestum vicesimo nono.

m. 6 d. Iohannes Nowers optulit se per attornatum suum,
Lex. supra,¹ versus Hugonem Symond de placito conuencionis, vnde queritur quod idem Hugo detenuit Iohannem, seruientem dicti Iohannis, a festo Sancti Michaelis vltimo vsque festum Sancti Michaelis proxime sequens, contra conuencionem inde inter eos factam, eo quod conuenit inter eos, certo die et anno apud Cherhull, quod predictum seruientem adduxisse debuisset apud Cherhull predicta die festi Sancti Michaelis predicto, ad seruendum predicto Iohanni vnde nichil actum fuit, ad dampnum predicti Iohannis Nowers de xx s. vt dicit, vnde producit sectam etc.

Et predictus Hugo venit et dicit quod nullam conuencionem inde cum dicto Iohanne fecit et hoc paratus est defendere per legem, vnde habet diem vsque ad proximam hic ad faciendum legem se xii manu et sunt plegii de lege, Ricardus Marchal et Walterus Ianyns.

m. 11. Sloughtre hundredum tentum ibidem die Martis in vigilia festi Marie Magdalene, anno regni . . xxix^{mo}.

Iohannes Flour et Alicia, vxor eius, attachiati sunt per plegium Iohannis Watt (iii d.) et Iohannis Hickes (iii d.) ad respondendum Roberto Westmocate, balliuo Gilberti Chasteleyn, apud Sloughtr' de placito transgressionis contra formam statuti de victualariis etc.; et modo non veniunt predicti Iohannes Flour et Alicia; ideo plegii predicti in misericordia, et preceptum est sicut pluries distringere dictos Iohannem et Aliciam quod sint ad proximam etc., ad respondendum etc.

¹The attorney had been named in a previous entry.

Portfolio 156, no. 10. 29-30 Edw. III.

Chester.

m. 5 d. Northwich. Curia tenta die Mercurii x die Marcii,
anno tricesimo.

m. 6. Misericordia i d. Seruiens in misericordia quia non fecit officium suum, videlicet, quia non distringeret Matildem, vxorem Willelmi del Giphole, ad respondendum Willelmo Greggessone in placito conuencionis, et nichilominus preceptum est distringere citra proximam.

Misericordia vi d. Willelmus del Giphole est ad legem ad sectam predicti Willelmi in placito predicto etc. per plegium Hugonis de Leghton et Iohannis de Merbury. Postea dictus Willelmus de Giphole cognouit hic in curia quod vxor eius fecit conuencionem cum predicto Willelmo Greggessone ad deseruiendum sibi bene et fideliter per vnum annum, prout ipse pro ea manucepit. Ideo consideratum est per iudicium quod dictus Willelmus Greggessone habeat conuencionem predictam, et nichilominus predicti Willelmus del Giphole et Agnes, vxor eius, in misericordia, plegii tam de conuencionem quam de misericordia.

Misericordia iiii d. Iohannes Cady queritur de Edde Carnefray de placito noui statuti, plegius de proseguendo Willelmus Batessone, plegius de respondendo Iohannes Cady, et vnde queritur quod fregit conuencionem sibi ad dampna etc. Et defendens cognoscit; ideo consideratum est quod predictus Iohannes

habeat conuencionem etc. et predicta Edde
in misericordia per plegium dicti Iohannis
etc.

m. 10. Magna curia tenta die Mercurii xiii die Iulii,
anno tricesimo.

m. 10 d. Robertus le Crouther per attornatum suum quer-
Lex. itur de Alicia que fuit vxor Roberti Dobbessone in
placito noui statuti. Et vnde dicit quod cepit ser-
uientem predicti Roberti de seruicio suo infra ter-
minum quo conductus fuit cum ipso Roberto, ad
dampna xx s. etc.

Et defendens negat; ideo ad legem, per plegium
Michaelis Skot et Iohannis de Merbury.

Portfolio 156, no. 26. 29-30 Edw. III.

Cornwall.

m. 3. Blakemore. Adhuc de Curia Stannarii de Blakemore
tenta apud Lostwithiel die Martis in vigilia
Sancte Katerine Virginis, anno xxix^o.

m. 3 d. Inquisicio. Inquisicio inter Iohannem Rydet, iuni-
orem, querentem (non prosecutus est) et
Willelmum Trilleway, de placito conuen-
cionis ipsum seruiendi per certum tempus,
ad dampnum suum x s. Remanet pro de-
fectu iurate.

Portfolio 176, no. 43. 24-27 Edw. III.

Hereford.

m. 3. Curia fratris Willelmi de Belhous, prioris de Clyf-
ford, tenta die Sabbati proximo post festum Annuncia-
cionis beate Marie, anno . . . vicesimo sexto.

- m. 4 . Adam Bercarius attachiatur per plegium balliui pro eo quod ablongauit seruientes domini ad dampnum etc., et pro eo quod pascuit vi oues. Et dictus Adam esso- niatus est supra i^o. Et sic remanet.

(At the same court "tenta die Sabbati xix die mensis Maii.")

Ad istam curiam Adam Bercarius allocutus de eo quod ablongauit Iohannem Vynch et Iohannem, filium Walteri, seruientes domini, de seruicio domini, qui dicit quod nullos seruientes ablongauit vt impositum est eidem, et ad hoc vadiauit legem per plegium balliui.

Portfolio 182, no. 17. 32-33 Edw. III.

Kent.

- m. 3 d. Wy Curia tenta ibidem in crastino Sancti Martini, anno regni . . . xxxii^o.

Recu-
peracio. Compertum est per inquisitionem quod Iohan- nes Delman iniuste cepit contra statutum domini Regis seruientem Willelmi atte Toune extra ser- uicium suum ad dampnum viii d. et dictus Iohan- nes Delman in misericordia. Et preceptum est fieri facere de bonis et catallis ipsius Iohannis dictos viii d. ad vsum ipsius Willelmi taxatos per inquisitionem.

Portfolio 203, no. 29. 29-30 Edw. III.

Suffolk.

- m 1 d. Curia de Chilton tenta xxviii die Octobris, anno xxix^{mo}.

Misericordia
xii d. Compertum est per inquisitionem in quam Io- hannes le Skynnere (vi d.) et Ricardus le Whyghte (vi d.) se posuerunt ad sectam domine

quod iidem non tenent conuencionem inter eos factam eo quod non veniunt ad seruendum domine in autumpno. Ideo iidem Iohannes et Ricardus sint in misericordia.

Preceptum est venire bonam inquisicionem ad certificandum curie de hiis qui capiunt vltra statutum ex quacumque causa etc.

m. 2. Curia de Chilton tenta xviii^o die Nouembris, anno xxix^o.

Adhuc preceptum est venire bonam inquisicionem ad certificandum curie de hiis qui capiunt contra statutum ex quacumque causa.

Portfolio 197, no. 120. 27-28 Edw. III.

Shropshire.

m. 1. (Heading of court missing. Next court on same membrane is "patria de Ruyton," in 27th year.)

Exigi facias Margeriam, filiam Ricardi Nicols, Iohannem (quietus est), filium Iohannis Bette [etc.]¹ de curia in curiam si non comparuerint et si comparuerint tunc eos capias et saluo custodias ita quod eos habeas ad proximam curiam ad respondendum domino de statutis laborancium per ipsos fractis etc. hic in curia.

No. 121. 29-30 [Edw. III].

m. 2 d. Curia ville de Ruyton tenta die Iouis in festo Sancti Barnabe apostoli, anno xxix.

¹Forty-five others named, more women than men; "ponit se," "ponit plegium," or "ex'" over some of the names.

Misericordie Inquisicio capta super seruientes et artifices qui
vi s. viii d. ceperunt contra ordinacionem statuti facta per
de ser- sacramentum . . .¹ qui dicunt quod . . .² omnes
uientibus. illos et illas fregisse statutum; ideo in miseri-
cordia.

No. 122. 30-32 [Edw. III].

m. 3. Ruyton. Curia laborancium patrie tenta die Iouis
proximo post festum Purificacionis beate Marie,
anno xxxi^{mo}.

Misericordia Ricardus Holigost et Elena vxor eius,³ po-
xii d. nunt se in gratiam domini et affidaverunt, et
inueniunt hos plegios, videlicet, Henricum
Cutte et Nicholaum de Monford.

Misericordia Iohannes, seruiens Ieuan, ponit se et affidauit
vi d. per plegium Ieuan ap Iorum.

Misericordia Isabella, seruiens Iohannis Aleyns, ponit se
vi d. et affidauit per plegium ipsius Iohannis Aleyns.

Misericordia Willelmus Iankyns ponit se et affidauit per
nulla. plegium Iohannis Aleyns.

Misericordia Willelmus de Coton ponit se et affidauit per
nulla. plegium Philippi Aleyns.

Quia testatum est per taxatores quod cep-
erunt moderate etc.

m. 7. Curia patrie de Ruyton tenta die Lune prox-
imo ante festum Sancti Michaelis Archangeli,
anno xxxi^{mo}.

¹ Three jurors.

² Eleven names. I leave the clerk's infinitive after "quod."

³ "Ponunt etc.," "affid." written above the names.

- Misericordia Iohannes le Taillour pro excessiua mercede
ii d. capta, vt ipsemet cognouit, in misericordia.
- m. 8. Curia generalis patrie de Ruyton tenta die
 Martis proximo, in vigilia omnium Sanctorum,
 xxxi^o.

 Curia parua tenta ibidem, die et anno pre-
 dictis.

- Finis Galfridus de Stanwardyn, Thomas Russell,
supersedeas. Iohannes Balle, quia non habuerunt Iohannem
 le Taillour vtlagatum pro eo quod cepit exces-
 sum et expatriaui, committuntur custodie
 quousque finem inde fecerint.

F. RECORDS OF THE CENTRAL COURTS. (*Cf.* pt. ii, ch. ii.)

For an account of the sources, see pt. ii, ch. ii, s. 1.

1. Extracts from Ancient Indictments and Assize Rolls.
2. Form of writs, counts, exigends, pardons for outlawry from the *Registrum*, *Novae Narrationes*, Coroners' Rolls and Patent Rolls.
3. List of 44 reports from Year Books and abridgments and of the corresponding records from *Coram Rege* and *De Banco* Rolls.
4. Cases 44, 31, 6, 42 and 20.
5. Cases 10, 17, 28, 32 and 36.
6. Cases 9, 38 and 43.

1. *Extracts from Ancient Indictments and Assize Rolls.*

For an account of this series of documents, see app., 143; also pt. ii, ch. ii, s. 1 and s. 3.

Ancient Indictments, Dorset, no. 19.

(A bundle of about 40 crumpled membranes.)

Whitewey.

Inquisicio capta apud Shirebourn coram Rege die Mercurii proxima post festum Sancte Petronille, anno regni Regis Edwardi tercii post conquestum xxxii^o per sacramentum

Shafton.

Iurati dicunt quod

Item dicunt quod Thomas Trente cepit extorsive pro xl bussellis mensurandis et sigillandis apud Shafton xx s.; videlicet, pro quolibet bussello vi d., videlicet, de Iohanne Chirchey vi d. et sic de pluribus aliis ad summam predictam anno xxxi^o

Item dicunt quod Walterus Penystroong et Willelmus Russel et Ricardus Chaldewell de Okford Fitzpayn et Willelmus de Assh vendunt pisces nimis care, ad dampnum populi et contra statutum domini Regis et vsi sunt per ii annos elapsos etc.

Assize Roll, Essex, 267. 25 Edw. III. 66 membranes.

Praesentationes apud Chelmsford.

m. 39 d. has the following entry: *Presentaciones coram Rege termino Michaelis, anno regni Regis Edwardi tercii post conquestum Anglie xxv^{to}, apud Chelmersford in comitatu Essex'.*

Coram Rege Roll, no. 365, Mich. term of the 25th year, is headed "*Westminster and Chelmsford.*"

In view of this evidence it is clear that the above classification as an "*Assize Roll*" is erroneous and that the roll belongs with "*coram Rege*" indictments. It also seems probable that those membranes of *Assize Roll*, Essex, 268,¹ that do not include proceedings before justices of labourers, contain "*coram Rege*," presentments similar to those in no. 267. For convenience of treatment the indictments against a subsidy collector recorded in both these rolls have been taken out of their proper place and printed in the section on the subsidy.²

m. 9 d. *Hundredum de Aungre.*³

Transgressio. Item presentant quod cum Robertus Gyppe et Iohannes, filius eius, accusati fuerint de artificio tannatoris coram Iohanne de Sutton⁴ et sociis suis iusticiariis domini Regis super laborariis et artificariis apud Chelmesford anno xxv^{to}, venit quidam Willelmus Page, balliuus Thome de Lucy, tunc vicecomitis Essex', apud Aungre, die Lune in septimana Pentecostes, anno supradicto, et attachiauit predictos Robertum et Iohannem de diuersis transgressionibus et feloniis, ita quod nisi voluerint in-

¹ See app., 169.

² App., 265-267. Since a number of selections from no. 268 are printed under both the heads just referred to, none are given in this section.

³ "*Inquisicio ibidem presentat*" is understood before the presentments in the hundred of Aungre; "*iuratores presentant*" before the others.

⁴ For his appointment, cf. app., 126.

uenisse sufficientem manucapcionem essendi ad proximam deliberacionem tunc proxime sequentem, volebat ipsos duxisse vsque ad castrum Colecestr'; ad quam deliberacionem iidem Robertus et Iohannes venerunt coram Ricardo de Wyllughby et Willelmo de Notton ad standum recto iuxta attachiamentum predictum et nullum indictamentum felonie nec transgressionis tunc super ipsos fuit inuentum; ita quod dicti iusticiarii super iniuria predicta vehementer mirabantur; set super excessu artificii sui predicti finem fecerunt coram dictis iusticiariis et presentant quod idem Robertus, causa dicti attachiamenti iniuste facti, expendit in denariis numeratis x marcas.

m. 10.
Trans-
gressio.

Item presentant quod Edmundus Coliere, Iohannes, dictus Longeion, Petrus Esthey et Thomas le Hirde, vocatus Marchal, solebant esse communes laboratores et nunc negant laborare nisi excessiue capiant etc.

Trans-
gressio.

Item presentant quod Iohannes Leuenoch de Stanford Ryuers, coopertor domorum, non minus operare quam pro qualibet dieta tres denarios et bona cibaria et bonum potum.

Item presentant quod Simon Pykard, carnifex et piscenarius et candelarius de Aungre, Iohannes Scot, piscenarius et candelarius et pultarius et facit recia, et Willelmus le Cook, carnifex de eadem villa, vendunt contra ordinacionem.

Item presentant quod Alicia, vxor Willelmi Sayer de Westwode, Margareta atte Strete, Matillis, vxor Willelmi Walkok, dryuere, de eadem, bene et fortiter sciunt metere et nolunt facere causa gleniandi, ad magnum dampnum.

Trans- Item presentant quod Iohannes Pynchon,¹ * ro-
gressio. tarius, manens apud Brendewode, facit artificium
suum nimis care et vendit contra ordinacionem,
videlicet, par rotarum pro x s. vbi solebat vendere
pro iiii s.

Trans- Item presentant quod Iohannes Coke, faber de
gressio. Northwelde, smyth de hundredo de Herlawe, nimis
capit pro artificio suo, ad magnum dampnum et
contra statutum etc.

Trans- Item presentant quod Thomas Faukoner de Mor-
gressio. ton, carpentarius, negat facere artificium suum ad
magnum dampnum et quando facit et laborat nimis
excessiue capit pro labore contra ordinacionem etc.

Item presentant quod Ricardus Beneyt de North-
welde de hundredo de Herlawe, plastarius, est nimis
carus de artificio suo et non vult laborare nisi ex-
cessiue capiat pro labore suo etc.

m. 20. Libertas Episcopi Eliensis.

Trans- Item dicunt quod Rogerus Fresch,* salterius de
gressio. Wodeham Ferers, vendidit i quarterium salis pro
xii s. contra statutum ad graue dampnum patrie in
forma predicta et contra sacramentum suum.

Trans- Item dicunt quod Willelmus Vyncent * de Wode-
gressio. ham Ferers iuratus fuit coram iusticiariis domini
Regis ad vendendum lagenam ceruisie pro i d. ob.,
et post iuramentum suum vendidit i lagenam cer-
uisie pro ii d. et per falsam mensuram contra ordi-
nacionem et contra sacramentum suum.

m. 37. Hundredum de Bekyntre.

¹In all the extracts in this section the asterisk indicates that in the original "finem fecit" is written over the name.

Item dicunt quod Alicia de Tademere,* Margareta Tademere,* et Isabella Hamondes,* sunt emptores et venditores bladorum in locis secretis et non manifeste in mercatis, nec volunt cum aliquo in autumpno metere nec aliquod aliud opus extra autumpnum facere nisi capere valeant in triplum plus quam percipere solebant. Et siquid lane filauerint, capiunt pro i libra lane filanda. vi d. et antiquitus capere solebant pro huiusmodi filacione ii d. tantum, contra ordinaciones Regis.

Item dicunt quod Henricus Caps,* wheelere,¹ vendidit vnum par rotarum ad vii s. uel ad viii. s. nec vult cum aliquo operari per vnum diem nisi capeat per diem sustentacionem ciborum et potuum et pro suo stipendio per vnum diem vi d. contra ordinacionem etc.

m. 37 d. Item dicunt quod Iohannes Bansted,* tyghelere,² Iohannes Holenam,* carpentarius, Iohannes Hamond, sawer³ et falcator, noluerunt operari secundum formam statuti, sed de villa de Berkynge vsque ad London' recesserunt et ibidem moram trahunt; set vicissim redeunt, set laborare nolunt, contra ordinaciones domini Regis inde factas, in magnam oppressionem et dampnum populi, et quilibet eorum capit per diem quando laborat in Essex' viii d. et plus, vbi solebat capere iiii d. tantum.

m. 39.
Trans-
gressio.

Item iuratores dicunt quod Ricardus Lepere* de Stratford facit sportas et vannas et illas vendidit contra assisam, videlicet, vnam vannam pro xviii d. uel ii s., vbi vendere solebat pro x d. uel viii d., ad

¹ Written above "rotarius" which has a line through it.

² Written above "tegulator" which has a line through it.

³ Written above "sarrator" which has a line through it.

graue dampnum Regis et tocius populi sui et contra statutum etc.

Trans-
gressio.

Item dicunt quod Iohannes Poggere,* senior, Iohannes Poggere,* iunior, Iohannes Brok,* Galfridus Haryngeye,* Willelmus Speer,* Stephanus Mayi,* sunt fullones et capiunt pro fullacione iii pannorum ad molendinum iii s. et solebant capere nisi xvi d., ad dampnum tocius patrie et contra assisam etc.

Trans-
gressio.

Item dicunt quod Iohannes Bartholomeu,* Willelmus Bette,* et Michael le Thecchere* de Westhamme, sunt coopertores et nolunt operari nisi capiant per diem iiii d. uel v d. et victum suum et nolunt viuere per talem victum sicut eis decet uel magister illorum facit nisi habeant meliores, in oppressionem populi et contra statutum etc.

Item dicunt quod Willelmus Halemán,* Iohannes Threshhere,* Adam Bokeler, Willelmus Fotyng,* Iohannes Morwan, Iohannes Tristram, Thomas Auncel, Iohannes Roulond,* Iohannes Bacoun et Iohannes Capoun tenent carucas suas ad locandum vicinis suis et nolunt minus arare per acram cum vicinis suis quam xviii d. vel xx d., ad graue dampnum tocius patrie, et solebant capere nisi x d. ad plus, contra statutum in oppressionem populi.

m. 43a. Chelmersford. Magna Inquisicio.

(A long list of bakers, bottlemakers, brewers, butchers, carpenters, chandlers, cobblers, cooks, drapers, fishermen, glovers, pelterers, sadlers, smiths, tailors, tavern-keepers, and woolmongers, with the following note on dorse:)

Quilibet in artificio suo in ista cedula infra con-

tentus nimis excessiue cepit contra statutum etc. postquam fecit finem.

m. 64. (Heading torn off.)

Trans- Item ils presentent qe le Lundy proscheyn de-
gressio. uaunt le feste de Seynt Michel, lan du regne nostre
seignur le Roy qore est xxiii en la ville de Gody-
chestre, Roberd ate Tye de mesme la ville coue-
naunt fist auesqe Thomas Huberd au manoir le dit
R atte Thomas en la ville susdit a tenyr la carue le dit
Tye. Thomas. Et pur ce qe le dit Thomas ne voilleit
doner au dit Roberd blee et salarie excercyue en-
counstre lestatut, le dit Roberd refusa et desent le
dit Thomas de soun seruice; par qei le dit Thomas
perdist la value de xx liures de tearre par vn an,
a tort et en contempt du Roy et encounstre lestatut
nadgers ordeyne pur seruauntz et laborers. Et par
W. de Thaxsted. mesme la manere Waulter de Thaxstede, charetter,
de soun seruice deseint le dit Thomas.

Ancient Indictments, Hertford, no. 38. 27 membranes.

(Endorsement.)

m. 20. Indictamenta coram domino Rege apud villam de
Sancto Albano in comitatu Hertford', termino
Michaelis, anno regni Regis Edwardi tercii post
conquestum Anglie vicesimo octauo.

m. 22 d.

Item dicunt quod tinctores, pannarii et tannatores
commorantes in villa de Ware, vbi non solebant esse
nisi infra burgum de Hertford', ad graue dampnum
domini Regis et domine Isabelle Regine, domine
eiusdem ville Hertford' et tocius communitatis ville
de Hertford' predictae et contra libertatem predictae
Regine, et quod iidem tinctores et tannatores nimis
excessiue vtuntur artificio suo, videlicet, predicti
tinctores capiunt pro panno, aliquando dimidiam

marcam, aliquando xl d. et aliquando plus, vbi solebant capere pro panno vi d. tantum, et predicti tannatores emunt corea bouina et alia diuersa corea ad leue precium, et ea vendere nolunt nisi lucrantur super vendicione in quadriplum ad maximam oppressionem ad dampnum totius populi.

(A list follows including brewers, butchers, cooks, cordwainers, innkeepers, shoemakers, one tanner, tailors, and vendors of ale; the sum taken in excess is noted after each name.)

Ancient Indictments, Middlesex, no. 66. (A bundle of about 75 crumpled membranes so tightly fastened together that it is almost impossible to read them.)

(Endorsement on last membrane.)

Presentaciones coram domino Rege apud Westmonasterium de annis regni Regis Edwardi tercii post conquestum Anglie vicesimo tercio et quarto et quinto. Midd'.

(Many of the presentments are without headings, although usually the names of the jurors are given. Various dates are recorded on those membranes where the headings are preserved; e. g.: termino Trinitatis anno xxviii^o, termino Hillarii xxvii^o, termino Hillarii xxvi^{to}, etc.)

Middlesex. Magna Inquisicio.

Item presentant quod Iohannes Bedeman de Kensyngton, messor, Iohannes le Foulere de eadem, falcator, Hugo Merssheman de eadem, messor, et Isabella, vxor eius, wedere, Ricardus Hankyn, Iohannes atte Hatche, Robertus Freke, Robertus Tyngewych, Henricus Toot, Robertus Prynce, laboratores, qui iurati fuerunt ad seruendum diuersis magistris suis ante autumpnum, et noluerunt seruire alicui nisi per diem contra statutum et ceperunt quilibet eorum per excessum in autumpno vltimo, ii s.

Nicholaus de Hefton et socii sui.

Omnes subscripti vsi sunt artificibus suis contra nouas ordinationes Regis in extorsionem et oppressionem populi Regis, videlicet, a festo Pasche anno xxv^{to} vsque diem Lune proximum ante festum Ascensionis Domini tunc proxime sequentem, et quilibet eorum cepit per excessum infra predictum tempus prout patet in sequenti. . . .

De termino Michaelis.

Walterus de Leghton et socii sui.

Midd'

Iurati presentant quod Robertus Porter de Herefeld,* Wilhelmus Mechleburn de eadem,* et Ricardus Baker * de eadem et Galfridus Payn de eadem,* communes laboratores, capiunt, videlicet, quilibet eorum quaque die quatuor denarios pro laboribus suis, vbi capere solebant per diem nisi duos denarios.

Et Willelmus Frensh, tyghelere de Deneham, verberauit, vulnerauit et male tractauit Henricum Goday, tyghelere, die Lune proximo ante festum apostolorum Simonis et Iude, anno regni Regis nunc xxiiii^{to}, apud Woxebrigg.¹ Et idem Willelmus Frensh et Henricus Goday sunt communes laboratores, et quilibet eorum capit per diem sex denarios et prandium suum pro laboribus suis.

Et quod Willelmus Poynt * de Farleston et Iohannes Pulder de eadem, falcatores, vbi solebant capere sex denarios per diem pro laboribus suis, modo capiunt duodecim.

Et quod Stephanus de Stratford * de Couele, communis laborator, vbi solebat capere per diem vnum denarium capit quatuor denarios.

Midd'

Iurati diuersorum hundredorum presentant quod cum per ordinationem et consilium domini Regis ordinatum sit quod nullus seruicens, cuiuscumque generis sit, in seruicio alicuius re-

¹ Now Uxbridge.

tentus ante finem termini concordati a seruicio suo sine licencia sua recedat nec plus pro stipendiis suis quam anno Regis nunc vicesimo vel annis precedentibus perciperant capiant, sub forisfactura bonorum suorum domino Regi forisfaciendorum, Adam D————¹ manens in parochia de Hadleye, nuper seruiens Henrici de Frowyk, ante finem termini inter eos concordati sine licencia et voluntate ipsius Henrici recessit, pro eo quod ipse noluit dare ei plus quam solitus fuit dare in predictis anno vicesimo Regis nunc et annis proxime precedentibus, contra statutum Regis etc., et ad graue dampnum ipsius Henrici et contra ordinacionem predictam etc.

Ancient Indictments, Suffolk, no. 114.

One of the membranes has the following endorsement: Inquisicio capta coram domino Rege apud Bury in comitatu Suff' termino Sancti Michaelis anno regni . . . vicesimo sexto.

Gula.

(Presentment against Thomas Savage for a violent attack on a servant of the vicar.)

Wayneford.²

Item presentant quod predictus Thomas die Lune proxima post festum Sancti Iohannis Baptiste, anno regni Regis Edwardi tercii a conquestu vicesimo quinto, apud Soterleye vi et armis, scilicet, gladio et pelta, domum Iohannis le Neuman contra pacem domini Regis et contra voluntatem predicti Iohannis intrauit et eundem Iohannem ibidem ———³ verberauit, vulnerauit et male tractauit et a verberacione predicta non cessauit quousque predictus Iohannes se obligauit et manucepit

¹ Illegible because a parchment string is drawn tightly through the name.

² Now Wangford.

³ Hole through the parchment.

predicto Thome deseruire in officio carpentarii continue per vnum mensem absque aliquo salario.

(Heading torn away.)

Item dicunt quod cum Thomas le Clerk de Prestone et Simon Aleyn, subconstabularii ville de Prestone, anno xxiiii^o presipuerunt et assignauerunt Ricardum Digg, communem laborarium, ad seruendum diuersis hominibus ville de Prestone in ecclesia de Prestone, ibi venit Thomas, perpetuus vicarius de Prestone, et inquit de predictis constabulariis quo precepto predicti constabularii precipuerunt predicto Ricardo ad seruendum, et predicti constabularii responderunt quod fecerunt precepto Regis et iusticiariorum suorum, et predictus Thomas, perpetuus vicarius, dixit in facie ecclesie quod omnes iusticarii fuerunt excommunicati, ita quod postea predictus Ricardus noluit deseruire nisi ad voluntatem propriam per abandacionem predicti¹ Thome.

Thinghowe.

Trans-
gressio.

Item dicunt quod cum Galfridus Sped de Somerton fecit conuencionem cum Nicolao Pikard ad deseruiendum dicto Nicholao in officio carucarii et de aliis minutis officiis sibi assignandis a festo Sancti Micaelis Arkangeli anno Regis nunc xxvi^{to} vsque ad finem anni completi, venit Adam de Gatisberi et dictum Galfriadum procurauit quod frangeret conuencionem factam cum dicto Nicolao et secum moram feceret in dicto officio sibi deseruiendo et sic ipsum Galfridum abduxit et ipsum retinuit iniuste. Et cum ad querelam dicti Nicolay, ballius hundredi de Risebridge, habens mandatum ad dictum Galfridum capiendum et ducendum coram iusticiariis sedentibus super laborarios, venit vt ipsum caperet, et dictus Adam venit et rescussum fecit

¹ MS. predicte.

quod balliuus ipsum habere non potuit, et dictus Galfridus recedens de domo dicti Nicolay seruras domorum suarum fregit et secum portauit et alia bona ad valenciam xx solidorum apud Rede.

2. *Form of writs, counts, exigends, etc.*

Extracts from the *Registrum, Novae Narrationes*, Coroners' Rolls and Patent Rolls.

Registrum Brevium Originalium,¹ 119; cf. Fitzherbert, *New Nat. Brev.*, 388-389.

Attachiammentum factum super quadam ordinatione A. 25. contra servientes.

Rex, vicecomiti Lincoln' salutem. Si A. fecerit, etc. tunc attachies I. de B. ita quod eum habeas coram nobis in octavis sancti Michaelis ubicunque etc. ad respondendum tam nobis quam praefato A. quare cum per nos et consilium nostrum pro communi utilitate regni nostri Angliae ordinatum sit, quod si aliquis messor, falcator, aut alius operarius vel serviens cujuscunque status fuerit seu conditionis in servitio alicujus retentus, ante finem termini concordati, a servitio praedicto sine causa rationabili vel licentia recesserit, poenam imprisonment subeat, et nullus sub eadem poena talem in servitio recipere vel retinere praesumat, nec ullus vadia, liberationes, mercedes, seu salaria majora quam solita tunc praestari anno regni nostri Angliae vicesimo vel annis communibus quinque aut sex proximis praecedentibus, alicui servienti solvat vel solvere promittat: praedictus Johannes de B. Richardum nuper servientem praedicti Adulphi, qui a servitio ejusdem Adulphi ante finem termini inter eos concordati, facta sibi promissione per ipsum Johannem de salario plus solito recipiendo, sine causa rationabili vel licentia praedicti Adulphi recessit in servitium ipsius Johannis, quamquam ipse de praefato Richardo eidem Adulpho restituendo requisitus fuerit, admisit, et retinuit, in nostri contemptum, et ipsius Adulphi grave damnum, et contra formam

¹ For the edition of the *Registrum*, see my bibliography.

ordinationis praedictae. Attachies etiam praefatum Richardum, ita quod eum habeas tunc ibidem, ad respondendum tam praefato Adulpho [quam nobis], quare a servitio ejusdem Adulphi sine licentia sua, ut praedictum est, recessit, ad grave damnum, etc. et contra ordinationem praedictam. Et habeas ibi hoc breve.

Teste etc. Breve de ordinatione.

Ibid., 189; cf. Fitzherbert, *New Nat. Brev.*, 389.¹

De attachiando non habentes unde vivant qui recusant servire.

Rex, vicecomiti salutem. Si A. fecerit, etc., tunc attachies B. et C. ita quod eos habeas coram justitiariis, etc., ad respondendum tam nobis quam praefato A. quare cum per dominum E. nuper regem Angliae, etc., et consilium suum, pro communi utilitate ejusdem regni ordinatum sit, quod quilibet homo et foemina ejusdem regni cujuscunque conditionis fuerit, liberae vel servilis, potens in corpore, et infra aetatem sexaginta annorum, non vivens de mercatura, nec certum exercens artificium, nec habens de suo proprio unde vivat nec terram propriam circa cujus culturam se poterit occupare, et alteri non serviens, si de serviendo in servitio pro statu suo congruo fuerit requisitus vel requisita, servire teneatur illi qui ipsum sic duxerit requirendum et percipiat duntaxat vadia, liberationes, mercedes, seu salaria, quae in locis, ubi servire debeat, anno regni dicti avi nostri vicesimo, vel annis communibus quinque vel sex proximis praecedentibus solita sunt praestari, et si talis vir et mulier, qui vel quae de sic serviendo requisitus vel requisita fuerit, hoc facere noluerit, statim capiatur, et proximae mittatur gaolae et ibidem sub arcta moretur custodia quousque securitatem invenerit de sic serviendo in forma praedicta, ac idem A. praefatis B. et C. qui ad serviendum juxta formam ordinationis praedictae tenentur, servitium pro statu suo competens ac hujusmodi competens salarium frequenter obtulerit: praedicti B. et C. pro hujusmodi competente salario penitus servire recusarunt vel recusaverint, in nostri contemptum, et

¹ The form given by Fitzherbert is against one offender only.

praedicti A. grave damnum, et contra formam ordinationis praedictae. Et habeas ibi hoc breve.

Teste etc.

Novae Narrationes in Natura Brevium, ed. 1534, p. 275.

De Estatute de Laborers.¹

Ceo vous monstre A. etc. que C. etc. que come ordeigne soit per le Roy E., nadgairs Roy d'Engleterre, aiel nostre syre le Roy quore est et son counsayle, pur le comen profyte de mesme le royalme, si ascun servaunt en le servyce d'ascun soyt retenus, et devant la fyn de terme accordes, de mesme le service sans cause resonable ou licens departye, le payne d'emprysonment doyt southaler: mesme cesty D. en le servyce le dit A., a tiel lieu deins mesme le counte ou le briefe est porte nadgairs retenus, scilicet, a la fest de Saynte Mychel lan nostre syre le Roy que ore est le tierce, tanques a mesme la fest adonques prochein ensuant per un an entier, de servir en office de carter, preignant pour son labour avaunt dit, 2 marcz per an, et un hoppelande,² encountre la feste de Pasques mesme l'an le dit D. tiel jour, an et lieu, departy hors du dit service sans licens et counge le dit A., a tort et as damages etc. et encountre la purveaunce avaunt dit.

Rotulus Coronatoris, Suffolk, 175, 28-31 Edw. III. 12 membranes.³

Suff' Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, vicecomiti Suff', salutem. Precipimus

¹ I am indebted to Professor J. B. Ames for collating my transcript of this document, made from an edition in the Harvard Law library.

² Houppelande, a great coat.

³ The inadequate description in the official list of this roll and of the succeeding roll for Suffolk has already been mentioned; app., 144; 239. In the same list of Coroners' Rolls, there is a roll for Lincoln correctly described, Rotulus de Exigendis, 65, 17-28 Edw. III; it contains instances of the exigends of offenders against the statutes convicted in the upper courts.

tibi quod exigi facias Thomam Goche de Stonham et Thomam Burrich, shepherde, de comitatu in comitatum quousque secundum legem et consuetudinem regni nostri Anglie vthlagentur, si non comparuerint, et si comparuerint, tunc eos capias et eos saluò custodias ita quod habeas corpora eorum coram iusticiariis nostris apud Westmonasterium in octabis Sancti Iohannis Baptiste ad respondendum tam nobis quam priori Hospitalis Sancti Iohannis in Ierusalem in Anglia, de placito quare cum per nos et consilium nostrum et pro communi vtilitate regni nostri Anglie ordinatum sit quod si aliquis seruicius, cuiuscumque status seu condicionis fuerit, in seruicio alicuius retentus ante finem termini concordati a dicto seruicio sine licencia aut causa racionabili recesserit, penam imprisonmenti subeat, et nullus sub eadem pena talem in seruicio suo recipere vel retinere presumat, predictus Thomas Goche predictum Thomam Burrich nuper seruientem predicti prioris in seruicio suo apud Batysford retentum, qui a seruicio eiusdem prioris ante finem termini inter eos concordati sine causa racionabili et licencia ipsius prioris recessit, in seruicium predicti Thome Goche, quamquam idem Thomas Goche de prefato Thoma Burrich eidem priori restituendo requisitus fuerit, admisit et retinuit, in nostri contemptum et predicti prioris graue dampnum et contra formam ordinationis predictæ. Et de placito quare predictus Thomas Burrich a seruicio eiusdem prioris ante finem termini inter eos concordati sine causa racionabili et licencia ipsius prioris, vt predictum est, recessit in nostri contemptum et predicti prioris graue dampnum, ac contra ordinationem predictam. Et vnde tu ipse mandauisti iusticiariis nostris apud Westmonasterium in octabis Sancti Hillarii quod predicti Thomas et Thomas non sunt inuenti in balliua tua etc. Et habeas ibi tunc hoc breue.

Teste Rogero Hillar', apud Westmonasterium, xxviii

die Ianuarii, anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

Ro. xxix¹ vnde.

(The whole series of exactions is given, resulting in outlawry.)

Rotuli Literarum Patencium, 28 Edw. III, pt. 1, m. 26; De pardonacione vtlagarie.

Rex omnibus balliuis et fidelibus suis ad quos etc., salutem. Sciatis quod cum Adam de Sharesnull, chiualer, nuper implacitasset coram nobis per breue nostrum Walterum le Keue et Ricardum le Keue de eo quod ipsi Iohannem Deuensshire, seniore, et Iohannem Deuensshire, iuniorem, nuper seruientes predicti Ade in seruicio suo apud Escote retentos, qui ab eodem seruicio ante finem termini inter eos concordati sine licencia ipsius Ade et causa rationabili recesserunt, in seruicio ipsorum Walteri et Ricardi admiserunt et retinuerunt contra formam ordinacionis per nos et consilium nostrum inde facte, ac iidem Walterus et Ricardus pro eo quod non venerunt coram nobis ad respondendum inde tam nobis quam prefato Ade secundum legem et consuetudinem regni nostri Anglie in exigendis possiti fuissent in comitatu Oxon' ad vtlagandum et ea occasione postmodum vtlagati, sicut per tenorem recordi et processus vtlagariarum predictarum quem coram nobis in cancellaria nostra sub sigillo Willelmi de Sharesnull, capitalis iusticiarii nostri, venire fecimus nobis constat, ac prefati Walterus et Ricardus prisone marescalcie nostre coram nobis se reddiderint occasione predicta, sicut idem Willelmus nos in dicta cancellaria nostra de mandato nostro certificauit; nos, pietate moti, pardonauimus eisdem Waltero et Ricardo vtlagarias predictas et firmam pacem nostram eis inde concedimus; ita tamen quod stent recto in curia nostra, si nos vel predictus Adam versus eos loqui voluerimus vel voluerit de premissis.

¹ "Ro. xxix" refers to De Banco, 30, Hill., 29 d., where this case begins.

In cuius etc., teste Rege, apud Westmonasterium, xxix die Ianuarii.

Cf. Coram Rege, 28, Hill., Rex, 6 d, Oxford, for the record of the issue of the writ of exigend. against the three defendants named in the above pardon, and of the whole process that resulted in their outlawry. They finally surrendered themselves to the prison of the Marshalsea, and were then brought into court by the marshal and showed the letter patent of pardon for their outlawry. The outlawry is removed; later Adam de Shareshull, the plaintiff, appears and says that he does not wish to prosecute; therefore "eant sine die."

3. *List of 44 reports from Year Books and abridgments and of the corresponding records from the Plea Rolls.*

ABBREVIATIONS USED IN THIS LIST.

- D. B. = De Banco Roll.
- C. R. = Coram Rege Roll.
- F. H. = Fitzherbert's abridgment.
- B. = Brooke's abridgment.
- S. = Statham's abridgment.
- Y. B. = 1678-80 edition of the Year Books.
- Ass. = Liber Assisarum in this same edition.
- B. M. = British Museum.

Of these 44 cases 15 are now in print, namely, cases 6, 9, 10, 17, 20, 28, 31, 32, 36, 38, 42, 43 and 44 in app., F; the record of case 39 in app., C; and case 7 in *Villainage in England*.

- 1 27 Ass., Mich., pl. 15. Record not found.
- 2 27 Ass., Mich., pl. 21; F. H., Estoppel, 235; B., Laborers, 37, Briefe, 290, Accion sur lestatute, 19.
C. R., 27 Mich., Shareshull, 73 d, London.
- 3 Y. B., 28 Mich., 18, f. 21; F. H., Laborers, 50.
D. B., 28 Mich., 145, Bucks.
- 4 Y. B., 29 Hill., f. 5-6; F. H., Briefe, 901.
D. B., 29 Hill., 138, Southampton.

- 5 Y. B., 29 Pasch., f. 18; F. H., Proses, 213 (113 by error in Y. B.).
D. B., 29 Pasch., 35, Essex.
- 6 Y. B., 29 Pasch., f. 27; F. H., Laborers, 54.
D. B., 29 Pasch., 59 d, Midd.
- 7 Y. B., 29 Trin., f. 41; F. H., Laborers, 53 and 55.
D. B., 29 Trin., 203, Oxford. (Report and record printed by Vinogradoff, *Villainage in England*, 412-415.)
- 8 Y. B., 30 Hill, f. 6.
D. B., 30 Pasch., 43, Worcester.
- 9 Y. B., 30 Mich., f. 31.
D. B., 30 Mich., 193, Sussex.
- 10 F. H., 33 Hill., Laborers, 56.
D. B., 33 Hill., 183 d, Northants.
- 11 F. H., 33 Mich., Laborers, 57. Record not found.
- 12 Y. B., 38 Hill., f. 5. Report shows that it is a D. B. case; D. B. roll wanting for this term.
- 13 Y. B., 38 Trin., f. 12; F. H., Laborers, 19; B., Laborers, 25.
D. B., 38 Pasch., 56, Notts. Case begins; roll for Mich. term wanting, and case does not appear in Trin. term.
- 14 Y. B., 39 Pasch., f. 6-7; F. H., Briefe, 505; B., Ioynder in accion et in plee, 41.
D. B., 39 Hill., 367 d, Norfolk. Case begins; roll for Trin. term wanting.
- 15 Y. B., 39 Trin., f. 14; B., Laborers, 34, General briefe et special declaracion, 10, Parliament et Statutes, 25. Report shows that it is a D. B. case; D. B. roll wanting for this term.
- 16 Y. B., 39 Mich., f. 22; F. H., Laborers, 20; B., Laborers, 35, Double Plee, 70.
D. B., 39 Mich., 231 d, Camb.
- 17 Y. B., 39 Mich., f. 37; B., Trespas, 196.
D. B., 39 Mich., 428 d, Linc.
- 18 Y. B., 40 Pasch., 27, f. 24. Record not found.
- 19 Y. B., 40 Mich., 2, f. 35; S., Laborers, 3; F. H., Briefe,

- 527; B., Joinder in action et in plea, 6. Record not found.
- 20 Y. B., 40 Mich., 16, f. 39; S., Laborers, 4; F. H., Laborers, 21; B., Laborers, 5. Record not found.
- 21 Y. B., 41 Hill., 2, f. 1; S., Laborers, 5; F. H., Laborers, 22; B., Lieu et Countie, 11.
D. B., 41 Hill., 240 d, London.
- 22 F. H., 41 Hill., Laborers, 25.
D. B., 41 Hill., 139 d, Herts.
- 23 F. H., 41 Hill., Laborers, 26.
D. B., 41 Hill., 30, York.
- 24 F. H., 41 Hill., Laborers, 27.
D. B., 41 Hill., 316 d, Norf.
- 25 F. H., 41 Hill., Laborers, 28.
D. B., 41 Pasch., 352, London.
- 26 F. H., 41 Pasch., Laborers, 29.
D. B., 41 Pasch., 29 d, Southampton.
- 27 Y. B., 41 Mich., 1, f. 17; F. H., Laborers, 23; B., Laborers, 6. Record not found.
- 28 Y. B., 41 Mich., 4, f. 20; F. H., Laborers, 24 and 36; B., Laborers, 7, Trauers per sauns ceo, 319.
D. B., 41 Mich., 180, Herts.
- 29 F. H., 41 Mich., Laborers, 30.
D. B., 41 Mich., 463, Kent.
- 30 F. H., 45 Hill., Laborers, 31.
D. B., 45 Hill., 70 d, Berks.
- 31 Y. B., 45 Mich., 11, f. 13-14; F. H., Laborers, 32 and 49; B., Laborers, 8.
D. B., 45 Trin., 72, Notts.
- 32 Y. B., 45 Mich., 15, f. 15; F. H., Monstrans de Faits fines et records, 151; S., Condiciones, 3.
D. B., 45 Trin., 371, London.
- 33 Y. B., 46 Hill., 10, f. 4; F. H., Laborers, 33; B., Laborers, 9.
D. B., 46 Hill., 251, Norf.
- 34 Y. B., 46 Pasch., 19, f. 14; F. H., Laborers, 35; B., Laborers, 10.

- D. B., 49 Pasch., 410, London.
- 35 F. H., 46 Pasch., Laborers, 36.
D. B., 46 Pasch., 469 d, London.
- 36 Y. B., 47 Mich., 15, f. 14; F. H., Laborers, 37; B., Laborers, 11.
D. B., 47 Pasch., 203 d, Kent.
- 37 Y. B., 47 Mich., 23, f. 16; B., Laborers, 12, Joinder in action et plea, 15. Report proves that it is a C. R. case; record not found.
- 38 Y. B., 47 Mich., 24, f. 16; F. H., Laborers, 38; B., Laborers, 13.
D. B., 47 Trin., 230, Essex.
- 39 Y. B., 47 Mich., 38, f. 18-19; F. H., Laborers, 39; B., Laborers, 14.
C. R., 48 Trin., Cavendish, 87, Linc. Possibly the beginning of the case; it proves to be a case appealed from quarter sessions.
- 40 Y. B., 47 Mich., 53, f. 22; F. H., Laborers, 40; B., Laborers, 15.
D. B., 47 Mich., 279, London.
- 41 Y. B., 49 Hill., 3, f. 2; B. Aide, 35, de son tort demesne, 35. Record not found.
- 42 Y. B., 50 Trin., 3, f. 13; F. H., Laborers, 41; B., Laborers, 16.
D. B., 50 Pasch., 100 d, Hunts.
- 43 Y. B., 50 Mich., 2, f. 21; F. H., Laborers, 42; B., Notice, 2, Laborers, 17, Villenage, 13.
D. B., 49 Mich., 302, Somerset.
- 44 Y. B., Add. MSS. B. M., 32,087, 38 Pasch.
D. B., 38 Pasch., 142, Kent.

4. Cases 44, 31, 6, 42 and 20. (Cf. pt. ii, ch. ii, 4.)

Case 44.

British Museum, Add. MSS., 32,087; Year Book, f. 59.

Pas. xxxviii. diuers carpinter de le terme de ii ans.

Nota qun homme suyst vn bref sur lestatut de labores de-

uers vn carpynter et counta qil couenaunt destre oue luy de faire ouereignes de carpenter par ii. ans et il ale hors etc.

Belknap Vous veiez bien coment il ad pris cest bref sur lestatut de labores et il ad counte deuers nous come deuers carpenter et lestatut ne restrent pas corpynters mes qils ne preneront pur le iourne outraieusement mes accordant al estatut ou ceo bref est done il est done deuers nulle forsque deuers labores; iugement si tiel bref deuers nous gise.

Wychingham Vous veiez bien coment nous auons dit qil fuist en nostre seruice et qil fist couenaunt ouesque nous vt supra et qil departist hors de seruice a qi il ne respond riens, iugement.

Et puis Belknap dit qil ne fist nulle couenaunt oue luy, prest et alii encontra etc.

De Banco Roll, no. 417.

Placita apud Westmonasterium coram Roberto de Thorp et sociis suis iusticiariis domini Regis de Banco de termino Pasche, anno regni Regis Edwardi tercii a conquestu tricesimo octauo.

Rot. 142.

Kanc' Iohannes de Otteford, carpenter, attachiatus fuit ad respondendum tam domino Regi quam Iohanni Pecche, ciui London', de placito quare cum per Regem et consilium suum pro communi vtilitate regni sui ordinatum sit quod si aliquis seruiens in seruicio alicuius retentus ante finem termini concordati a dicto seruicio sine causa rationabili vel licencia recesserit, penam imprisonmenti subeat, predictus Iohannes de Otteford, nuper seruiens predicti Iohannis ¹ Pecche, in seruicio suo apud Lullyngston retentus, ab eodem

¹ MS. Iohannes.

servicio ante finem termini inter eos concordati, sine causa rationabili et licencia ipsius Iohannis Pecche recessit, in Regis contemptum et ipsius Iohannis Pecche graue dampnum et contra formam ordinacionis predictæ etc.

Et vnde idem Iohannes Pecche qui sequitur etc. queritur quod cum predictus Iohannes de Otteford retentus fuisset cum prefato Iohanne Pecche apud Lullyngston, die Lune proximo post festum Sancti Bartholomei, anno regni domini Regis nunc tricesimo sexto, ad deseruiendum eidem Iohanni Pecche ibidem in officio carpentarii a festo Sancti Michaelis Archangeli tunc proxime futuro per duos annos integros tunc proxime sequentes, predictus Iohannes de Otteford die Lune proximo ante festum Sancti Petri ad Vincula anno regni domini Regis nunc tricesimo septimo, ante finem termini predicti sine causa rationabili vel licencia etc. a servicio predicti Iohannis Pecche recessit, in Regis contemptum et ipsius Iohannis Pecche graue dampnum et contra formam ordinacionis predictæ etc. vnde dicit quod deterioratus est et dampnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et predictus Iohannes de Otteford in propria persona sua venit et defendit vim et iniuriam quando etc. et quicquid etc. et dicit quod ipse non fuit retentus cum predicto Iohanne Pecche ad deseruiendum ei per tempus predictum, prout idem Iohannes Pecche superius queritur, et de hoc ponit se super patriam; et predictus Iohannes Pecche similiter.

xv
Trini-
tatis. Ideo preceptum est vicecomiti quod venire faciat hic a die Sancte Trinitatis in xv dies per iusticiarios xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc. Et super hoc Iohannes Colpeper, Iaceus de Groshurst, Willelmus Burkyngdale et Iohannes Sacre de comitatu Kanc' manuceperunt pre-

dictum Iohannem de Otteford habendi corpus eius hic ad prefatum terminum et sic de die in diem ad quem diem placiti quousque predicta iurata inde inter eos transierit et iudicium inde redditum fuerit, videlicet, quilibet eorum corpus pro corpore etc.

Ad quem diem venerunt partēs etc. et vicecomes non misit breue. Ideo sicut prius preceptum est vicecomiti quod venire faciat hic in octabis Sancti Michaelis per iusticiarios xii etc. ad recognoscendum etc. in forma predicta etc.

Case 31.

Y. B., 45 Mich., 11, f. 13-14.

Sur le Briefe sur le statute de Labourers fuit port vers un statute home, et suppose par son demonstrance, que lou il de la- avera reteine un son servant de luy server, en office bourers de cellery, et auters choses affaire, et monstra en certain, que per vi ans la avera le defendant deteinus mesme celuy a tort, etc. et auxy il fuit porte vers le servant.

Kirton.

Celuy que il suppose que luy detient, nous diomus, que mesme cesty fuit son apprentice, et nient son servant allowe, come il ad suppose, prist etc.

Fencot dit pur le pleintife è contra, et ceo fuit tenus pur bon response.

Et puis dit Kirton pur l'auter, sir, vous veies bien coment il ad suppose, que nous fuimus reteinus ove luy par vi ans, en quel case nous entende que le statute ne done pas action, mes lou il est reteinus per un an, par que judgement.

Fencot.

Et nous judgement, de puis que vous ne dedits pas, que il fuit allowe en nostre service, et que nous avomus counte, que il departist le primer an, et nous

demande judgement si nostre briefe ne soit assets bon, etc.

Fitzherbert, Laborers, 49.

Home navera accion sur lestatut de laborers vers vn qui est reteigne oustre vn an etc. vt patet in laborariis etc.

De Banco Roll, no. 443.

Placita apud Westmonasterium coram W. de Fyncheden et sociis suis iusticiariis domini Regis de Banco de termino Sancte Trinitatis, anno quadragesimo quinto. . . .

Rot. 72.

Nott' Iohannes Harsyk de Sancto Bartholomo et Iohannes Hardy attachiati fuerunt ad respondendum tam domino Regi quam Henrico Sadeler de Newerk de placito quare cum per dominum Regem et consilium suum pro communi vtilitate regni sui ordinatum sit quod si aliquis seruiens, cuiuscumque status seu conditionis fuerit, in seruicio alicuius retentus ante finem termini concordati a dicto seruicio sine causa rationabili vel licencia recesserit, penam imprisonamenti subeat, et nullus sub eadem pena talem in seruicio suo recipere vel retinere presumat, predicti Iohannes et Iohannes Willelmum, filium Henrici, in Roughton nuper seruientem ipsius Henrici in seruicio suo apud Newerk retentum, qui ab eodem seruicio ante finem termini inter eos concordati sine causa rationabili et licencia ipsius Henrici recessit, in seruicium ipsorum Iohannis et Iohannis, quamquam ipsi de prefato Willelmo eidem Henrico restituendo requisiti fuerint, admiserunt et retinuerunt, in Regis contemptum et ipsius Henrici graue dampnum et contra formam ordinationis predictae etc.

Et vnde idem Henricus qui sequitur etc. per Iohannem Batheleye, attornatum suum, queritur quod cum predictus Willelmus retentus fuisset cum ipso Henrico apud Neuwerk ad deseruiendum ei ibidem in officio communis seruientis et ad sellas faciendas auxiliandum a festo Sancti Michaelis Archangeli, anno regni domini Regis nunc Anglie quadragesimo tercio, vsque ad finem septem annorum tunc proxime sequentium, predicti Iohannes et Iohannes, die Lune in festo Sancte Marie Magdalene anno regni domini Regis nunc Anglie quadragesimo quarto, prefatum Willelmum qui a seruicio eiusdem Henrici ante finem termini etc. recessit quamquam etc. in seruicium eorundem Iohannis et Iohannis admiserunt et retinuerunt, in Regis contemptum et ipsius Henrici graue dampnum et contra formam etc. vnde dicit quod deterioratus est et dampnum habet ad valenciam centum librarum, et inde producit sectam etc.

Et predicti Iohannes et Iohannes per Iohannem Nuttyng, attornatum suum, veniunt et defendunt vim et iniuriam quando etc. et quicquid etc. Et predictus Iohannes Harsyk dicit quod prefatus Willelmus, filius Henrici, retentus fuit cum predicto Henrico Sadeler et eidem ligatus ad commorandum cum eo tanquam eius apprenticius, ad artificium cellarii erudiendum per tempus predictum, absque hoc quod idem Iohannes, filius Henrici, retentus fuit cum eodem tanquam communis seruiens ad deseruiendum ei iuxta formam ordinacionum et statutorum de seruatoribus et operariis et seruientibus, prout idem Henricus superius narrat, et hoc paratus est verificare vnde petit iudicium etc.

Et predictus Iohannes Hardy dicit quod communis retencio siue conduccio seruientis secundum formam ordinacionis operariorum et seruientum est de retinere et conducere de termino in terminum siue de anno in

annum, prout concordari poterit, et non per tam longum tempus, prout idem Henricus superius narravit, videlicet, per septem annos, vnde petit iudicium si per huiusmodi breue de retencione siue admissione prefati Iohannis, filii Henrici, supponendo per narrationem super eodem ipsum Iohannem fuisse conductum ad seruiendum quasi communis laborarius siue seruiens per septem annos, vt predictum est, accio prefato Henrico Sadeler competere possit aut debeat etc.

Et predictus Henricus quoad placitum predicti Iohannis Harsyk dicit quod prefatus Iohannes, filius Henrici, retentus fuit cum eodem Henrico ad deseruiendum ei in officio communis seruientis siue laborarii prout ipse per narrationem suam supponit, absque hoc quod ipse retentus fuit cum eodem Henrico et ligatus ad commorandum cum eo tancquam eius apprenticius, prout predictus Iohannes Harsyk superius allegauit, et hoc petit quod inquiratur per patriam, et predictus Iohannes Harsyk similiter.

Et quoad placitum predicti Iohannis Hardy dicit quod in ordinatione de seruitoribus et operariis etc. generaliter et expresse continetur quod si aliquis seruientis etc. in seruicio alicuius retentus ante finem termini concordati a seruicio magistri sui sine causa racionabili vel licencia recesserit, accio datur eidem magistro a cuius seruicio sic recessit per breue fundatum super eadem ordinatione et in ordinatione illa aliquod certum tempus retencionis siue conduccionis huiusmodi seruientum in certo non limitatur, nisi solo modo quod quidam seruientes seruire debent per annum, dimidium anni siue quarterium anni, et non per dietas, et sic bene liceat cuicumque huiusmodi seruientes tam per vnum annum et duos vel tres quam per plus longum tempus, prout inter retentorem et retentum concordati poterit, conducere et retinere,

et punicio per statutum tam versus seruientes qui sic recesserint quam versus eos qui illos admiserint datur pro conquerente, non habito respectu ad terminum concordatum siue per vnum annum vel duos aut plures. Et ex quo prefatus Iohannes Hardy non dedicit quin predictus Iohannes, filius Henrici, cum ipso Henrico Sadeler ad deseruiendum ei per tempus in narratione sua contentum, videlicet, per septem annos retentus fuit, nec quin ante finem termini predicti a seruicio suo recessit, nec quin idem Iohannes Hardy simul etc. ipsum Iohannem, filium Henrici, seruientem suum admisit et retinuit prout per narrationem suam supponitur, petit iudicium et dampna sibi in hac parte adiudicari etc.

Et quia iusticiarii hic nondum auisuntur ad iudicium reddendum quoad hoc vnde predicti Henricus et Iohannes Hardy placitauerunt in iudicium, dies datus est eis de audiendo inde iudicio hic a die Sancti Michaelis in xv dies. Et preceptum est vicecomiti quod venire faciat hic ad prefatum terminum xii etc. per quos etc. et qui nec etc. tam ad recognoscendum de exitu placiti vnde predicti Henricus et Iohannes Harsyk placitauerunt ad patriam quam de dampnis eiusdem Henrici occasione retencionis et admissionis predicti Iohannis, filii Henrici, si iudicium inde versus eum redditum fuerit etc.

Case 6.

Y. B., 29 Pasch., f. 27.

Briefe sur l'estatut de servants.

Laborers. Fitz., 54.

Un William Brewer de Holborne porte brief fonde sur l'estatut de Laborers, devers un home et sa feme, et devers un M. lour fille. Et suppose que l'ou meme cest M. avoit fait covenant certain jour et an, aver demurre en son service per vii ans procheins ensuants,

la fuit el departy dedeins le terme sans cause reasonable, et le baron et sa feme l'avoit retenus encontre l'estatut, a tort etc. et monstre a quel jour il departit; issint que un an fuit venu de son terme.

Gower.

Sir, l'estatut voet, qu'ils feront covenant de servir par termes usuels que ne puit passer le terme d'un an; et il ad counte d'un covenant fait pur vii ans, que n'est pas garraunte par l'estatut. Jugement de count.

Finchden ad idem.

Si ceo count soit maintenu, par mesme le reason poit il counter d'un covenant fait a demurrer pur terme de sa vie, ou a terme de mille ans, que passerent le vie d'un home; que ne puit estre garraunte par l'estatut.

Wil[ughby].

Dits oustre; et ceo serra save a vous.

Et puis le brief fuit challenge, pur ceo que il fuit porte vers la feme, suppose que eux ont retenus, etc. en lour service, ou feme covert ne puit nul home receiver en son service: car tout sera dit le fait le baron: ovesques ceo la nature de la suit voet, que si lez defendants soient attaintz, ils seront enprisone, et issint sera la feme enprisone, ou en Ley ceo sera dit le fait le baron.

Finchden ad idem.

Si un servant soit esloigne, le baron avera le suit vers luy, et vers celuy qui retient et jammes sera le briefe maintenu pur le baron et pur sa feme devers eux. Q. d. non.

Wilb. [Wilughby]

Vous suppose par vos reasons, q'il ne purra my estre retenu en service per le baron et sa feme. Et

s'il soit en le service l'un, de comen entent il est en service de l'un et l'auter. Purque respondes. Puis Finchden monstra M. a la court, et dit :

Sir, veies cy le servant que n'est que d'age de ix ans, que ne puit per nul contract estre lie. Purque nous demandomus jugement, si etc.

Judicium.

Et la Court luy vist, et examina et trove fuit de tiel age.

Wilb. [Wilughby]

L'enfant n'est que d'age de ix ans, que ne poit a covenant estre lie; et auxi per count est suppose que le covenant se fist long temps passe, a quel tempts ele fuit de meindre age. Per que devers luy parnes riens per votre brief; et pur les auters dient ceo qu'ils voillent.

Gower.

Sir, le gros de son action depend tout sur le departir del servant; car s'il n'ust unques demurre ovesques luy, constat qu'il n'ust unques ew accion devers nous del retener. Et depuis que le servant est ajuge tiel, que ne poit a covenant estre lie, per le departir hors de lour service nul tort en luy sera ajuge: et depuis que en le departir, que est principal, il n'y ad paz tort, per consequens nec en retener de luy tort en nous puit estre ajuge. Pur que etc.

Moubray.

Nient plus list il prendre mon servant hors de mon service que est deinz age, que celui que est de plein age. Et depuis que ne deditz per que ele fuit en notre service tanques ele fuit retenu per vous; et il est defendu per l'estatut

que nul home prendre auter servant; et mesques ele fuit deins age, vous per tant n'estes pas excuse; et le tort a nous fait est conu; nous prisomus nos damages.

Finchden.

Si vous eusses pris accion per tiel voy, scilicet, que nous luy prisomus hors de votre service, per cas le matter seroit auter, et le Ley donneroit devers nous votre rec[overer], mes votre action est pris de ceo qu'il fuit retenu en votre service, et departi devant le terme limitte sanz cause reasonable, et que puis nous luy recevomus en nous service; ou al reteiner en votre service et al departir de cel diomus que vous estes pleinement servy. Car de ceo tort n'est que pas ajuge en nous, eo que ceo ne puit estre ajuge retener, pur ceo que le servant ne fuit pas liable, par que il sembla quant el puit departir et servir, (ou el voudra) que en le retener nul tiel tort puit estre ajuge, nient plus que si el n'ust unques este retenue devant.

Wilb. [Wilughby]

Opinio
Curiae.

Quides vous mesques covenant ne la puit lier per nonage, que list a vous purtant luy traire hors de service? Certain est que non. Purque respondes.

Gower.

Nous ne luy retenomus pas. Prest.

Et alii e contra.

Vide qu'ils demurre devant in Ley, etc., et a ore sont a issu in fait etc.

De Banco Roll, no. 381.

Placita apud Westmonasterium coram Rogero Hillary et

sociis suis iusticiariis de Banco de termino Pasche,
anno . . . vicesimo nono. . . .

Rot. 59 d.

Midd'

Robertus Brewere de Holebourn et Elena, vxor eius, et Matilldis, filia Philippi de¹ Cornwaille, nuper seruiens Thome Cheris, coteler, attachiati fuerunt ad respondendum tam domino Regi quam Thome Cheris, coteler, de placito quare cum per Regem et consilium suum pro communi vtilitate regni Regis Anglie ordinatum sit quod si aliquis seruiens, cuiuscumque status seu condicionis fuerit, in seruicio alicuius retentus ante finem termini concordati a dicto seruicio sine licencia vel causa rationabili recesserit, penam imprisonmenti subeat, nec aliquis sub eadem pena talem in seruicio suo recipere vel retinere presumat, predicti Robertus et Elena predictam Matilldem in seruicio ipsius Thome apud London' retentam, que ab eodem seruicio ante finem termini inter eos concordati sine licencia et causa rationabili recessit, in seruicium ipsorum Roberti et Elene admiserunt et retinuerunt, in Regis contemptum et ipsius Thome graue dampnum et contra formam ordinacionis predictę, et eciam de placito quare predicta Matilldis a seruicio eiusdem Thome sine licencia sua et causa rationabili ante finem termini inter eos concordati recessit, in Regis contemptum et ipsius Thome graue dampnum et contra ordinacionem supradictam etc.

Et vnde idem Thomas, qui sequitur tam pro domino Rege quam pro se ipso, queritur de eo quare cum per dominum Regem etc. pro communi vtilitate etc. ordinatum sit quod si aliquis seruiens etc. ante finem termini concordati etc. sine licencia etc. penam imprisonmenti subeat, nec aliquis sub eadem pena etc. recipere vel retinere presumat, predicti Robertus et Elena predictam Matilldem in

seruicio ipsius Thome apud London', videlicet, in parochia Sancti Stephani in warda de Colemanstrete retentam ad seruendum eidem Thome a die dominica proxima ante festum Natiuitatis Sancti Iohannis Baptiste, anno regni domini Regis nunc Anglie vicesimo tercio, per septem annos integros tunc proxime sequentes, que ab eodem seruicio ante finem termini etc. sine licencia etc. recessit, videlicet, die dominica proxima post festum Sancti Michaelis anno regni eiusdem domini Regis nunc Anglie vicesimo octauo in parochia Sancte Marie de Arcubus in warde de Chepe, in seruicium ipsorum Roberti et Elene in warda de Farndon in parochia Sancti Andree in Holebourn admiserunt et retinuerunt, in domini Regis contemptum et ipsius Thome graue dampnum et contra formam ordinationis etc., et eciam de placito quare predicta Matilldis a seruicio eiusdem Thome predicta ¹ die dominica proxima post festum Sancti Michaelis anno vicesimo octauo, sine licencia etc. ante finem termini etc. recessit, in ipsius Regis contemptum etc. et contra ordinacionem etc., vnde dicit quod deterioratus est et dampnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et Robertus et Elena veniunt et defendunt vim et iniuriam etc. et quia tam per examinacionem predictae Matilldis hic in curia in propria persona sua comparentis quam per inspeccionem corporis sui constat curie hic quod predicta Matilldis est infra etatem modo et non fuit nisi solomodo etatis trium annorum, tempore quo predictus Thomas supponit ipsam Matilldem cum eo retentam fuisse, quo tempore eadem Matilldis nullo pars esse potuit ad aliquem contractum seu ad aliquam conuencionem faciendam, consideratum est quo ad ipsam

¹ MS. predictis.

Matilldem quod predictus Thomas nichil capiat per breue suum, set sit in misericordia pro falso clameo etc. Et Matilldis inde sine die etc.

Et predicti Robertus et Elena bene defendunt quod predicta Matilldis non fuit retenta cum predicto Thoma in forma qua idem' Thomas superius versus eos narrauit. Et de hoc ponunt se super patriam et predictus Thomas similiter.

London' ideo preceptum est vicecomitibus London' quod octabis venire faciant hic in octabis Sancti Michaelis de Michaelis. warda predicta de Colemanstrete xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc.

Case 42.

Y. B., 50 Trin., 3, f. 13.

Le statute Un Henry B. Parson de B. port briefe sur le de labour- statute de labourers vers Thomas F. Chapleyn, et ers 81.¹ counta coment il fist covenant ove luy a servir en le Office de seneschal, et d'estre son chapleyn parochial a certains temps etc. Et que il fuit en son service, et depart sans cause reasonable.

Hanimer.

Quant a ceo que il ad count que nous fesomus covenant d'estre son seneschal, et que nous sumus en son service de seneschal, nous diomus que nous ne fiomus unques tiel covenant ove luy, prists:

Et alii è contra.

Et quant a ceo que voe surmistes, que fesomus covenant ove luy d'estre Chapleyn parochial; et que nous departomus hors de son service, nous entendomus que le statute n'est a auter entent, mes a ceux que sont labourers artificers, et ceo n'est l'un ne l'auter, mes le servant de Dieu, issint ne fuit il

¹ Error for 41.

pas lie per le statute, issint n'entendoms my que devers nous cest accion gist, car chescun auter servant s'il soit en sanite et power de corps, il est tenus de faire son service, et son labour de jour en jour, mes le Chapleyn n'est tenus de chaunter chescun jour, s'il ne voille, pur divers causes que gissent en son conscience, et issint poet cesser de chaunter par un demaine ou deux, issint que il est tout en auter degree que labourer ou artificer.

Clopton.

Cestuy que est son Chapleyn parochial, poet estre plus tost ajudge labourer, que auter Chapleyn que doit servir solement ou Parson singuler; car Parson parochial ad plusors choses a faire que de chaunter sa messe, et auters divine services; car il covient a luy de visiter les maladies de son paroche a lour meas, de lour faire aver les droits de Saint Eglise, et auxy il covient que les Parsons de Saint Eglise eiount lour service necessaries, car ils ne poient my faire ils mesmes; per que il semble a divers regards que il est auxint avant en case de statute come auter persone de people.

Belknap.

Judicium. Cest fuit un case et matter adjourne en l'auter terme a ore, et il nous est avis et a nous compaignons de bank le Roy auxy, que n'est lie per statute, come auter person est; per que quant a ceo point nous vous dischargeoms, et quant au remanent de que vous estes a issue, gardes vostre jour, etc.

De Banco Roll, no. 462.

Placita apud Westmonasterium coram R. de Bealknapp et sociis suis iusticiariis . . de Banco de termino Pasche, anno . . . quinquagesimo.

Rot. 100 d.

Hunt' Wilhelmus Can de Brampton attachiatus fuit ad respondendum tam domino Regi quam Wilhelmo, persone ecclesie de Ripton Abbatis, de placito quare cum per dominum Regem et consilium suum . . . (departure clause, *cf.* app., 420) predictus Wilhelmus Can, nuper seruiens ipsius Wilhelmi, persone, in seruicio suo apud Ripton Abbatis retentus ab eodem seruicio . . . (identical with app., 421, mutatis mutandis) et contra formam ordinacionis predicte.

Et vnde idem Wilhelmus, persona, in propria persona sua queritur quod predictus Wilhelmus Can, die Iouis proximo post festum apostolorum Petri et Pauli anno regni domini Regis nunc Anglie quadragesimo nono, apud Ripton Abbatis retentus fuisset cum prefato Wilhelmo, persona, essendi capellanus parochialis ac procurator suus ad ecclesiam suam de Ripton Abbatis a festo Sancti Michaelis anno regni eiusdem domini Regis nunc supradicto vsque idem festum Sancti Michaelis extunc proxime sequens, predictus Wilhelmus Can die Lune proximo post festum Sancti Martini in yeme infra terminum predictum a dicto seruicio sine causa racionabili et licencia ipsius Wilhelmi, persone, recessit, in Regis contemptum et ipsius Wilhelmi persone graue dampnum et contra formam ordinacionis predicte, vnde dicit quod deterioratus est et dampnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et predictus Wilhelmus Can in propria persona sua venit et defendit vim et iniuriam quando etc. Et quo ad hoc quod per declaracionem predicti Wilhelmi, persone, supponitur ipsum cum eo retentum fuisse in officio capellani parochialis et ab eodem seruicio sine licencia recessisse etc. quod iurisdiccio et potestas ad ipsum occasione premissa puniendum et castigandum mere pertinet ad ordinarium suum et non ad curiam Regis, hic eo quod in statuto de seruientibus et laborariis nulla fit mencio de capellanis, nec in eisdem con-

tinetur quod capellani per penam in ordinacione et statuto limitatam castigari debent etc.; vnde petit iudicium si predictus Willelmus, persona, accionem predictam per huiusmodi breue manutenere debeat etc. Et quo ad hoc quod idem Willelmus, persona, supponit ipsum cum eo retentum in officio procuratoris et a dicto seruicio sine licencia recessisse, dicit quod predictus Willelmus, persona, certis de causis fuit imprisonatus in gaola de Neugate, pro cuius quidem deliberacione facienda quidam Iohannes de Ditton, clericus, adtunc firmarius dicte ecclesie de Ripton, per scriptum suum obligatorium obligauit se cuidam Iohanni Vpheis in centum libris soluendis certis die et loco in dicto scripto obligatorio contentis; quiquidem Iohannes Vpheys postea obiit, post cuius mortem quidem Walterus Rudham, executor testamenti predicti Iohannis Vpheis, prosecutus fuit quoddam breue de debito versus prefatum Iohannem de Ditton de debito predicto; super quo concordatum fuit quod idem Iohannes de Ditton rehaberet predictum scriptum suum obligatorium et quod idem Willelmus Can obligaret se prefato Waltero Rudham in centum libris soluendis eidem Waltero apud Huntyngdon' in festo Natalis Domini anno regni domini Regis nunc Anglie quadragesimo nono vnam medietatem, et aliam medietatem ad festum Pasche proxime sequens, et dicit quod¹ ipse conuenit cum prefato Willelmo, persona, sub tali condicione quod idem Willelmus, persona, solueret prefato Waltero Rudham quadraginta libras ante festum Sancti Martini anno regni eiusdem domini Regis nunc supradicto vel ipsum erga prefatum Walterum de summa predicta acquietaret; quiquidem Willelmus, persona, nullam dictarum condicionum perfecit, per quod ipse a seruicio predicto recessit prout ei bene licuit, vnde petit iudicium etc.

¹ In MS. "quod" is repeated.

Et predictus Willelmus, persona, quo ad hoc quod prefatus Willelmus Can superius placitauit et allegauit punicionem capellanorum etc. ad ordinarium loci etc. et non ad curiam hic pertinere etc., dicit quod ordinacio de seruitoribus et operariis et artificibus etc. generalis est, nulla excepcione in eadem facta de capellanis siue de aliquibus aliis personis cuiuscumque status seu condicionis fuerit; et sic intelligi debet quod accio datur per eandem cuilibet homini qui huiusmodi capellanos retinuit si a seruicio suo recesserint et punicio in illo casu, tam de capellanis illis castigandis quam de aliis personis cuiuscumque status etc., ad curiam hic secundum sua demerita pertinet et pertinere intelligi debet. Et ex quo idem Willelmus Can superius expresse cognoscit quod ipse cum eodem Willelmo, persona, retentus fuit et non dedit quin a seruicio suo ante finem termini etc. et sine causa rationabili etc. recessit, petit iudicium et dampnum sibi in hac parte adiudicari etc. Et quo ad hoc quod prefatus Willelmus Can superius placitando allegauit ipsum conuenisse cum prefato Willelmo, persona, de essendo in officio procuratoris sub condicione preallegata etc., dicit quod ipse simpliciter conuenit cum eo, absque aliqua tali condicione, prout ipse superius per breue et narrationem sua supponit, et hoc petit quod inquiratur per patriam et predictus Willelmus Can similiter.

Ideo preceptum est vicecomiti quod venire faciat hic a die Sancte Trinitatis in xv dies per iusticiarios xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc. Et super hoc Nicholaus de Styvecke, senior, Iohannes de Styvecke, Ricardus Faron et Iohannes Bullok de comitatu Hunt' manuceperunt predictum Willelmum Can habendi corpus eius hic ad prefatum terminum et sic de die in diem ad quemlibet diem placiti quousque iurata inde inter

eos transierit et iudicium inde redditum fuerit, videlicet, quilibet eorum corpus pro corpore etc.

Idem dies datus est predictis Willelmo et Willelmo auditoris iudicium suum etc. quo ad hoc quod placita-uerunt ad iudicium etc. Ad quem diem venit tam predictus Willelmus Meuryk per Thomam Meis, attornatum suum, quam predictus Willelmus Can in propria persona sua etc. et nichil inde fecit vicecomes non misit breue etc. Ideo sicut prius, preceptum est vicecomiti quod venire faciat hic a die Sancti Michaelis in xv dies per iusticiarios xii etc. ad cognoscendum in forma predicta etc.; ad quem diem venerunt partes etc. et vicecomes non misit breue. Ideo sicut pluries preceptum est vicecomiti quod venire faciat hic a die Sancti Michaelis in vnum mensem per iusticiarios xii etc. ad recognoscendum in forma predicta etc. Idem dies datus est partibus predictis per attornatos suos hic etc.

Et quo ad hoc vnde partes predictae superius placitarunt in iudicium, consideratum est quod predictus Willelmus, persona, nichil capiat per breue suum predictum set sit in misericordia pro falso clameo suo. Et predictus Willelmus Can eat inde sine die etc. Ad quem diem mensis Michaelis vicecomes non misit breue. Ideo sicut pluries preceptum est vicecomiti quod venire faciat hic in octabis Sancti Hillarii per iusticiarios xii etc. per quos etc. et qui nec etc. ad recognoscendum in forma predicta etc.

Case 20. (Record not found.)

Y. B., 40 Mich., 16, f. 39.

Labor- John K. porta briefe foundue sur le statute de anno
ers 21. 23 E. 3. cap. 1. de Laborers, et le briefe fuit tiel:
Stat. 4. come ordeine fuit que tous ceux que fueront deins
l'age de lx. ans, et ne scavoient nul mistier, et
ne teignent terres, ne tenements entre queux que ils

poient occuper, que ils devoient server s'ils soient requise, et dit que il requist le defendant de luy server en office, etc.

Moris.

La ou il dit que nous n'avomus terres ne tenements, nous diomus que nous avomus xv acres de terre, pur quel nous devomus faire xx overaignes, et aulters besoignes chescun an, al Evesque de Londres a son manor de W. et avomus jour que il ad suppose le request, judgement si action poit aver il.

Belknap.

Sir, il ad dit que il n'ad que vi acres terre, quel n'est pas sufficient occupation, per que.

Finchden.

Il ad dit que il doit faire pur mesme la terre xx overaignes, et cel est sufficient occupation, per que, etc.

Belknap.

Nous diomus que il n'ad que vi acres de terre, et il ne doit faire que vi overes, que poient este fait en un semaine, issint n'ad il pas sufficient cause d'estre excuse, per que nous demaundomus judgement.

Moris.

Et del heure que vous aves conus que nous avomus terres, pur queux nous devomus tant des overes per quel heure que ceo pleist al Seignior, issint ne poiomus vous server, et auxy faire les services dues al Evesque, per que judgement.

Belknap.

Nous avomus dit que vous ne devez faire que vi overes, queux poient este fait en poy de temps, et auterment chescun home pur un tiel petit value, sera excuse de chescun service.

Finchden.

Judic-
ium Sir, le statute fuit fait en advantage des Seigniors,
que ils n'avoient pas default des servants, et il est
necessary a chescun Seignior de lessier parcel de sa
terre pur faire les services dues a son manor, et per
tant est il occupie en son service pur le temps, per
que vous pleintife ne preignes riens per votre briefe,
etc. Quel person sera dit sufficient de terre que il ne
servira, Nota bene.

5. *Cases 10, 17, 28, 32 and 36.* (Cf. pt. ii, ch. ii, 5.)

Case 10.

F. H., 33 Hill., Laborers, 56.

Un T. port briefe Denprisonment vers K. et auters
deux et count que toutz luy prist et enprison.

Clam. [Claymond]

Pour K. diomus que deuaunt le iour denprison-
ment suppose, nous allomus le pleintife de nous
seruyr etc. par vne an, et deins lan et deuaunt len-
prisonment, le pleintife depart hors de nostre seruice
sauns conge etc. ou cause resonable, ou apres nous
fesomus nostre pleint al Constable del ville ou etc.
que est vn de les auters nosme etc., et il vient oue
nous et nous ii. vous prisomus, et puis vous reteno-
mus en nostre seruice tanques al fyne del terme etc.,
iugement etc. lauter vient en aide de luy etc.

Skipwith.

Ceo que vous ditz nest enprisonment, quar vn ser-
uaunt comenment est arge de faire ses seruices, par
que.

Clam. [Claymond]

Ceo que vous suppose lenprisonment est le prise
et le retenir en nostre seruice, encontre vostre gre
que est congeable par ley.

Skipwith.

Unce duisse trauerser chescun auter enprisonment.

Thorp.

Ne besoigne, par que respondes.

Skipwith.

Del heure que il nad monstre que il nous dereygne par suist fait come lestatut voit. etc., iugement quar al comen ley auter rec[ouer] ne fuit don en ceo cas forsque briefe de Couenaunt, par que il ad conus lenprisonment. etc.

Grene.

Ieo die que al comen ley que si ieo sue apparceu que mon seruaunt se voyle esloigner etc. que ieo luy pourre reteigner magre le soen pur le terme.

Skipwith.

Mes sil soit esloigne, ne poies luy prendre et re-amesne encounter son gree al comen ley.

Seton.

Tout est vn, et tout fuit il issint al comen ley, il est auter ore, quar lestatute voit que il serre pris et demourre en prison tanques il troue suerte de seruer son mester pur le terme, par que coment que il le prent mesme lou il est parnable par ley il ne fait offens etc. et puis par auise de toutz les Iustiz agarde fuyt que il prist ryens par son briefe et cetera.

De Banco Roll, no. 397.

Placita apud Westmonasterium coram Roberto de Thorp et sociis suis iusticiariis domini Regis de Banco de termino Sancti Hillarii, anno . . . tricesimo secundo finiente et tricesimo tercio incipiente. . . .

Rot. 183 d.

Norht' Katerina Latymer, senior, et Iohannes of the Graunge in misericordia pro pluribus defaltis etc.

Idem Katerina et Iohannes et Ricardus Katerinesprest Latymer attachiati fuerunt ad respondendum Iohanni, filio Ricardi Iones, de placito quare vi et armis ipsum Iohannem, filium Ricardi, apud Wardon ceperunt, imprisonauerunt et male tractauerunt et alia enormia ei intulerunt ad graue dampnum ipsius Iohannis, filii Ricardi, et contemptum Regis etc.

Et vnde idem Iohannes, filius Ricardi, per Adam de Cherleton, attornatum suum, queritur quod predicti Katerina et alii die Lune proximo ante festum Natalis Domini anno regni domini Regis nunc Anglie tricesimo vi et armis, scilicet gladiis, arcubus et sagittis, ipsum Iohannem, filium Ricardi, apud Wardon ceperunt, imprisonauerunt et male tractauerunt et alia enormia etc. et contra pacem etc.; vnde dicit quod deterioratus est et dampnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et Katerina et alii per ———¹ attornatum suum veniunt et defendunt vim et iniuriam quando etc. et quo ad venire vi et armis etc. dicunt quod ipsi in nullo sunt inde culpabiles etc. et quo ad residuum transgressionis etc. eadem Katerina dicit quod predictus Iohannes, filius Ricardi, fuit seruiens ipsius Katerine cum ipsa ad deseruiendum ei tanquam laborarius apud Wardon retentus, videlicet, a festo Sancti Michaelis, anno regni domini Regis nunc Anglie tricesimo, vsque idem festum Sancti Michaelis tunc proxime sequens, et quia predictus Iohannes, filius Ricardi, predicto die Lune a seruicio ipsius Katerine iniuste et maliciose et absque causa rationabili recessit et se elongauit, eadem Katerina per auxilium predicti Iohannis of the Graunge, tunc constabularii ville predictae, arestarti fecit predictum Iohannem, filium Ricardi, ibidem ad deseruiendum ipsi Katerine prout ei bene licuit.

Et predictus Iohannes of the Graunge dicit quod ipse tunc temporis fuit constabularius ville predictae et ad requisicionem predictae Katerine venit ibidem ratione officii sui ad predictum

¹ Blank left for name.

Iohannem, filium Ricardi, occasione premissa arrestandum et ipsum arrestauit et ad seruicium ipsius Katerine reduxit prout iuri conuenit in huiusmodi casu.

Et predictus Ricardus dicit quod ipse tunc erat seruiens predictae Katerine et venit in auxilium eiusdem ad arrestum predictum faciendum in forma predicta, vnde petunt iudicium si predictus Iohannes, filius Ricardi, iniuriam in personis suis affirmare possit etc.

Et Iohannes, filius Ricardi, dicit quod ex quo ipse liber et libere condicionis existit non fuit licitum nec iuri consonum ipsum capere nec imprisonare occasione superius per predictam Katerinam et alios allegata, set in casu quo aliquis liber homo in seruicio alicuius retentus ab eodem seruicio ante finem termini sui recesserit, competit accio per breue vel querelam de conuencione fracta et ex quo ipsi superius cognouerunt capcionem et detencionem corporis ipsius Iohannis, petit iudicium et clampna sibi adiudicari.

Et predicti Katerina et alii petunt iudicium ex quo predictus Iohannes, filius Ricardi, superius cognouit ipsum in seruicio ipsius Katerine fuisse retentum et ab eodem sine causa rationabili rececisse¹ vt preallegatum est; in quo casu bene licitum fuit ipsum arestare et ad seruicium suum reducere; petunt iudicium vt prius si iniuria in eis assignari possit.

Et super hoc habito ausamento super placito predicto, consideratum est quod idem Iohannes, filius Ricardi, nichil capiat per breue suum, set sit in misericordia pro falso clameo. Et predicti Katerina et alii eant inde sine die etc.

Case 17.

Y. B., 39 Mich., f. 37. Trespas.

Hillard Ufflet port bref de Transgression vers un Th. Et counta que il vient a force et armes, et amena son servant hors de son service.

Et le defendant per Claymond demanda jugement de count: car il n'ad pas counte combien il fuit hors de son service.

¹ Probably for recessisse.

Non allocatur.

Puis il chalenga le bref, purtant que l'accion est don par Statut, issint duist il aver bref sur le Statut. Et demanda Jugement de bref vi et armis.

Mombray.

Coment que ce accion soit don par Statut, le bref fuit a le Comon Ley, et n'est pas defait par Statut, etc.

De Banco Roll, no. 421.

Placita apud Westmonasterium coram Roberto de Thorp et sociis suis iusticiariis domini Regis de Banco de termino Sancti Michaelis, anno . . . tricesimo nono.

Rot. 428 d.

Linc' Rogerus Beauchamp in misericordia pro pluribus defaltis etc.

Idem Rogerus attachiatus fuit ad respondendum Illardo de Vsfllet de placito quare vi et armis Willelmum Grym, seruientem ipsius Illardi in seruicio suo apud Walcotte existentem, cepit et abduxit et alia enormia ei intulit, ad graue dampnum ipsius Illardi et contra pacem Regis etc.

Et vnde idem Illardus in propria persona sua queritur quod predictus Rogerus die dominica proxima post festum Natiuitatis Sancti Iohannis Baptiste, anno regni domini Regis nunc tricesimo nono, vi et armis, scilicet gladiis, arcubus et sagittis, Willelmum Grym, seruientem ipsius Illardi in seruicio suo apud Walcote existentem, cepit et abduxit et alia enormia etc., ad graue dampnum etc. et contra pacem Regis etc. vnde dicit quod deterioratus est et dampnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et Rogerus per Iohannem de Keuermond, attornatum suum, venit et defendit vim et iniuriam quando etc. Et quoad venire vi et armis et contra pacem etc. dicit quod ipse non est inde culpabilis. Et quoad capcionem predicti Willelmi etc. dicit quod diu ante predictam diem dominicam, videlicet, die Lune proximo ante festum Sancti Martini in yeme anno regni domini

Regis nunc tricesimo octauo, predictus Willelmus retentus fuit cum ipso Rogero ad seruendum ei a predicto festo Sancti Martini in yeme tunc proxime sequente per vnum annum duraturum apud Normanby Claxby in officio carucarii et carectarii et in eodem seruicio extitit vsque diem Lune proximum post clausum Pasche proxime preteritum, quo die idem Willelmus ab eodem seruicio sine causa rationabili recessit et apud Walcote mansit; et dictus Rogerus eum diligenter inquirens ibidem inuenit et ipsum secum in seruicium suum reduxit prout ei bene licuit; vnde petit iudicium si idem Illardus aliquam iniuriam in persona sua assignare possit etc.

Et Illardus dicit quod idem Rogerus predictum Willelmum sepius verberauit et ei victum necessarium dare aut salarium sibi debitum soluere non curauit, per quod idem Willelmus a seruicio predicti Rogeri recessit et predictus Illardus eum conduxit in seruicium suum apud Walcote predictum, prout bene licuit. Et hoc paratus est verificare, vnde petit iudicium etc.

Et Rogerus dicit quod predictus Willelmus recessit a seruicio ipsius Rogeri apud Normanby Claxby ex iniuria sua propria et non ex causa predicta, prout predictus Illardus superius allegauit et de hoc ponit se super patriam et predictus Illardus similiter.

Ideo preceptum est vicecomiti quod venire faciat hic a die Pasche in xv dies per iusticiarios xii etc. de visneto de Normanby Claxby per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc. Postea continuato inde processu hic vsque ad hunc diem, scilicet a die Sancti Michaelis in xv dies tunc proxime sequentes, nisi iusticiarii domini Regis ad assisas in comitatu predicto capiendas assignati die Lune proximo post festum Sancti Iacobi apostoli apud Lincoln' prius venissent.

Et modo venerunt predictus Illardus in propria persona sua et predicti iusticiarii ad assisas etc. coram quibus remiserunt hic recordum suum in hec verba. Postea die et loco infracontentis coram [Thoma] de Ingelby et Iohanne de Cauendissh, iusticiariis domini Regis ad assisas etc., venerunt tam predictus

Illardus quam predictus Rogerus infranominati in propriis personis suis; et similiter iuratores venerunt qui ex consensu parcium electi, triati et iurati dicunt super sacramentum suum quod predictus Rogerus predictum Willelmum Gryme sepius verberavit et ei victum necessarium non dedit aut salarium ei debitum non soluit, per quod dictus Willelmus a seruicio eiusdem Rogeri recessit et dictus Illardus ipsum Willelmum conduxit et in seruicio ipsius Illardi apud Walcote extitit quousque predictus Rogerus ipsum Willelmum cepit et abduxit, prout idem Illardus per breue suum supponit, ad dampnum ipsius Illardi quatuor marcarum.

Ideo consideratum est quod predictus Illardus recuperet versus eum dampna sua predicta et predictus Capiatur. Rogerus capiatur.

Postea in quindena Sancti Michaelis anno regni domini Regis nunc quadragesimo primo, venerunt tam predictus Illardus quam predictus Rogerus in propriis personis suis, et idem Rogerus satisfecit Finis v s. eidem Illardo de denariis predictis et super hoc idem Rogerus fecit finem accione predicta de quinque solidis, per plegium Iohannis Miles de Lincoln' et Iohannis de Rasen de eodem comitatu. Ideo idem Rogerus deliberetur etc.

Case 28.

Y. B., 41 Mich., 4, f. 20.

Briefe fuit port sur le Statute de Labourers, et le Labour- plaintiffe counta, que le defendant fist covenant a ers 24, S. in comitatu Herford, et que il departa hors de Br. 7. son service a T.

Moris.

Cest briefe est port par cause del departer hors de son service, et vous diomus que T. est en le countie d'Essex, et cest briefe est port en le countie Herford, judgement de cest briefe.

Candish.

Et puis que cest action est prise sur le covenant, sur quel un issue poit este prise auxibien, come sur le departer, et S. est en le county de Herford, judgement si nostre breve ne soit assets bon.

Wichingham.

Si vous usses especialty, et vostre action fuit pris sur le covenant, donques le brieve port en S. serroit bon, mes ore l'action est pris sur le departer.

Candish.

Le covenant est triable en cest cas, auxibien come en brieve de covenant: car s'il ne fist nul covenant ovesque nous, donque ne fist il nul tort.

Moris.

Passa oustre, et dit, que il ne fuit unques en son service, prist.

Candish.

Depuis que vous ne dedits pas, que vous fistes covenant ovesque nous de nous server, issint que le departer apres fuit torceous, nous demandomus judgement, et priomus nous damages.

Moris.

Labour-
ers 36.

Vostre action est del departer, et si nous ne fuimus unque en vostre service, donque nous ne departismes pas, per que il semble, que nous avomus traverse vostre action purement.

Finchden.

Quant vous fistes covenant ovesque luy, maintenant vous fuistes retenue en son service, et si vous allastes a un auter, et refusastes de luy server, ceo fuit un departer hors de son service, per que voiles auter chose dire.

Moris.

Il ne fuit pas retenus ovesque luy, prist, etc.
Et alii è contra, etc.

De Banco Roll, no. 429.

Placita apud Westmonasterium coram Roberto de Thorp et sociis suis iusticiariis domini Regis de Banco de termino Sancti Michaelis, anno . . . quadragesimo primo etc.

Rot. 180.

Hertf' Stephanus Bolleman de Sabrichesworth attachiatus fuit ad respondendum tam domino Regi quam Ade de Chestrefeld de placito quare cum per Regem et consilium suum . . . (departure clause, *cf.* app., 420) predictus Stephanus in seruicio ipsius Ade apud Farneham nuper retentus, ab eodem seruicio . . . (identical with app., 421, *mutatis mutandis*).

Et vnde idem Adam qui sequitur etc. per Ricardum de Fifhide, attornatum suum, queritur quod cum predictus Stephanus ad festum Pasche anno regni domini Regis nunc quadragesimo primo apud Sabrichesworth retentus fuisset cum predicto Ada ad seruendum sibi apud Farneham in officio carectarii et carucarii a dicto festo Pasche vsque ad festum Sancti Michaelis Archangeli tunc proxime sequens, predictus Stephanus sic in seruicio ipsius Ade retentus ab eodem seruicio sine causa rationabili et licencia eiusdem Ade ante finem predicti termini recessit, in Regis contemptum et ipsius Ade graue dampnum et contra formam etc. vnde dicit quod deterioratus est et dampnum habet ad valenciam decem librarum et inde producit secutam etc.

Et Stephanus per Robertum de Feltewell, attornatum suum, venit et defendit vim et iniuriam et quicquid etc. quando etc. et bene defendit quod ipse non fuit retentus in seruicio predicti Ade ad seruendum sibi sicut idem Adam superius per narrationem suam supponit, et de hoc ponit se super patriam et predictus Adam similiter.

Ideo preceptum est vicecomiti quod venire faciat hic in octabis Sancti Martini per iusticiarios xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc.

Case 32.

Y. B., 45 Mich., 15, f. 15.

Covenant Un home port briefe de covenaut sur le statute
Mon- de Labourers vers un auter, suppose que il aver
stran'. fait covenaut ove luy, de luy servir en Lound' a
151. Ludgate en un certain office, et que il departist sans
conge.

Condicion Candish.

Sta. 2.¹ Nous diomus que nous fesomus covenant ove luy
sur tiel condition, que si mes parentes et mes amies
voille a tiel covenaut assenter, et diomus que ils
ne voille a ceo assenter, per que nous departomus
de luy, come bien a nous list.

Fencot.

Vous veies bien coment il alledge, que il fist cove-
nant ove nous conditionel, que chiet en especialty,
de quel il ne monstre riens, per que n'entendomus
mye, que a ceo que il ad alledge, nul ley nous mitte
a responder, judgement et priomus nous damages.

Wichingham.

Quant l'action de covenant est maintainable sauns
especialty, il semble que par mesme le reason il
doit d'averrer le maner de covenant de son party
sans especialty, per que etc.

Candish.

Tende d'averrer que le covenant se fist simple a
Ludgate sauns condition prist, etc.

¹ Error for 3.

Fencot.

Le covenant se fist a les friers minours de Lound' come etc. prist, et priomus pays d'illonques.

Wichingham.

Vous ne les averes pas, mes lou le plaintiff ad alledge, et ita fuit, sed secus, issint si imprisonment ust estre alledge et plede encounter son fait per le plaintiffe, donques serra trie lou l'enprisonment serra alledge, etc.

De Banco Roll, no. 443.

Placita apud Westmonasterium coram W. de Finchdon et sociis suis iusticiariis domini Regis de Banco de termino Sancte Trinitatis, anno . . . quadragesimo quinto . . .

Rot. 371.

London' Thomas the Personescosyn of Wanstede attachatus fuit ad respondendum tam Regi quam Roberto Mussenden, marchal, de placito quare cum per dominum Regem et consilium suum . . . (departure clause, *cf.* app., 420) predictus Thomas in seruicio ipsius Roberti apud London' nuper retentus ab eodem seruicio . . . (identical with app., 421, *mutatis mutandis*).

Et vnde idem Robertus in propria persona sua queritur quod cum predictus Thomas in festo Pasche anno regni domini Regis nunc Anglie quadragesimo quinto apud London' in parochia Sancti Martini in warda de Faryngdon Extra conuenisset cum prefato Roberto ad deseruiendum ei ibidem in officio marescalcie a dicto festo Pasche per vnum annum tunc proxime sequentem, predictus Thomas in festo Pentecostes infra terminum predictum a dicto seruicio suo sine causa rationabili et licencia ipsius Roberti recessit, in Regis contemptum et ipsius Roberti graue dampnum et contra formam ordinacionis predicte, vnde dicit quod deterioratus est et dampnum habet ad valenciam decem librarum, et inde producit sectam.

Et predictus Thomas in propria persona sua venit et defendit

vim et iniuriam quando etc. et quicquid etc. et dicit quod ipse dictis die et anno conuenit cum prefato Roberto ad deseruiendum ei in officio predicto per tempus predictum sub tali conditione quod pater et mater ipsius Thome ad conuencionem illam consentire uoluissent, et dicit quod statim cum idem Thomas de conuencionem illa predictis patri et matri suis nunciasset, iidem pater et mater ad conuencionem illam non consenserunt, set eam omnino renuerunt, per quod ipse a dicto seruicio recessit prout ei bene licuit, et petit iudicium si predictus Robertus iniuriam in hoc casu in persona sua assignare possit.

Et predictus Robertus dicit quod ipse per aliqua preallegata ab accione sua precludi non debet, quia dicit quod predictus Thomas retentus fuit ad deseruiendum ei in forma predicta per tempus predictum simpliciter, absque aliqua huiusmodi conditione, prout ipse superius per breue et narrationem sua supponit, et hoc petit quod inquiratur per patriam et predictus Thomas similiter.

Ideo preceptum est vicecomitibus quod venire faciant hic a die Sancti Michaelis in xv dies per iusticiarios xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc. Et super hoc Iohannes Trentemarze, Iohannes Croydon, Iohannes Henden et Willelmus Passelewe de comitatu Cant' manuceperunt predictum Thomam habendi corpus eius hic ad prefatum terminum et sic de die in diem ad quemlibet diem placiti quousque iurata inde inter eos transierit et iudicium inde redditum fuerit, uidelicet, quilibet eorum corpus pro corpore etc.

Case 36.

Y. B., 47 Mich., 15, f. 14.

Trespas sur le statut de labor- ers 37.	Un home port briefe de Trespas sur le statute de Laborers devers un Henry Prie, et counta, que come par le statute est ordeigne, que list a nul home en auter service reteinus, deins la fine de terme enter eux accorde, sauns la volunte de son master de-
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Dr. II. parter, la est mesme le Henry, vers que ceo briefe est port, depart hors de son service sans cause, a tort, et a ses damages, et mist en certain quant le terme comence et quant il departe.

Belknap.

Nous ne fuimus unques en vostre service, prist, etc.

Tanke.

Ceo n'est pas plee, si vous ne dedits la retenue en nostre service, car maintenant apres la reteinue, vous estes ajudge nostre servant par la ley, coment que vous ne venustes unques en nostre service, par que, depuis que il ne responde pas a nous, nous demaunde judgment, et priomus nous damages.

Persay.

A ceo que vous dits, que coment que il ne fuit unques en vostre service, que il fuit auge vostre servant, eo ipso, il n'est pas issint, car un home que est en vostre service, puit faire covenant ovesques moy a server, quant son terme est passe, issint que ceo parol, in servicio suo retentus, est a tiel effect, que il fuit en vostre service, et s'il ne vient unques en vostre service: donques averes autre briefe sur vostre case.

Finchden.

Al comen ley devant ceo statute, si home prist mon servant hors de mon service, jeo avoy briefe de Trespas, la ou il fuit en mon service corporaliter; ore le statute fuit fait pur cel mischeife que s'il ne vient unques en mon service, apres ceo que il aver fait covenant de moy server, et il soy esloine de moy, j'avera tiel briefe, a suppose que il fuit reteinus en mon service, et departie come ceo cy est, per que il covient necessario a respondre al retenue, ad quod tota curia concessit.

Labor- Belknap.

ers 36. Donques nous diomus, que nous ne fuimus unques reteinus de luy server, prist, etc.

Tanke.

E contra, et sic ad patriam.

De Banco Roll, no. 450, 47 Pasch., rot. 203 d, Kanc', is probably the same case in spite of the difference in the surname of the defendant. Henricus Kary, carucarius, was attached to answer Margeria on the charge of departure within the term; his plea is simply: non fuit retentus cum prefata Margeria prout ipse per breue et narracionem sua superius supponit, et de hoc ponit se super patriam et predicta Margeria similiter. Usual order to the sheriff to summon a jury; verdict not recorded.

6. Cases 9, 38 and 43. (Cf. pt. ii, ch. ii, 6.)

Case 9.

Y. B., 30 Mich., f. 31.

Issue In un briefe sur le Statut de laborers vers un Richard C. de ceo que il reteina un son servant, et luy avoit esloigne hors de son service enconter le Statut.

Wichingham.

Le servant fuit villein a W. D. de son manor de A. quel W. morust, et pur ceo que son heir fuit deins age, et il tient part de ses terres del Roy il seisit la gard, et ce granta a Sir Michel de Poninges, quel M. granta le gard a nous. Et diomus que celuy fuit in nostre service, et nous luy defendamus que il ne se departist, et il ala a vous. Et pur ceo que nous avomus besoin de son service, nous luy prisomus a nous, come bien nous list. Jugement si de ceo tort, etc.

Burton.

Vostre respons est double: un, de ceo que il est villein d'un de que vous aves le gard: auter, que il

fuit en vostre service, et departa enconter vostre gre; en quel cas mesques il ust este frank, vous luy purres aver pris.

Wichingham.

Nous ne fondomus rien sur ceo que il fuit en nostre service devant.

Burton.

Donques nous diomus que vous n'aves pas besoign de son service, pur ceo que vous aves auters asses. Prest, etc. Et puis il adda, sans ceo que il luy defenda de servir ailours.

Wichingham.

Ou vous dites que il n'avoit pas besoign de son service, il avoit besoign. Prest, etc.

Green.

Mesques vous soiez a un de prendre ce issu, nous vomus le Statut, si l'issu soit acceptable, etc.

De Banco Roll, no. 388.

Placita apud Westmonasterium coram Roberto de Thorp et sociis suis iusticiariis domini Regis de Banco de termino Sancti Michaelis, anno . . . tricesimo. . .

Rot. 193.

Sussex' Robertus Quetche attachiatus fuit ad respondendum tam Regi quam Andree Peuerel, chiualer, de placito quare cum per Regem et consilium suum . . . (retention clause, *cf.* app., 423) predictus Robertus Iohannem Bruggere, nuper seruientem predicti Andree in seruicio suo apud Blachyngton retentum . . . (identical with app., 423, mutatis mutandis).

Et vnde idem Andreas per Willelmum de Neubiri, attornatum suum, queritur quod cum predictus Iohannes ad festum Sancti Michaelis anno regni domini Regis nunc Anglie vicesimo nono apud Blachyngton

retentus esset in seruicio ipsius Andree ad seruiendum sibi ibidem per vnum annum tunc proxime sequentem certa conuencione inter eos concordata, idem Iohannes sine causa racionabili a seruicio ipsius Andree infra tempus illud, scilicet die Lune proximo ante festum Sancte¹ Margarete anno regni eiusdem domini Regis nunc Anglie tricesimo, a seruicio ipsius Andree ante finem termini inter eos concordati sine licencia sua recessit in seruicium predicti Roberti, et idem Robertus ipsum Iohannem in seruicio suo apud Stenyngg a predicto die Lune vsque diem impetracionis breuis etc. retinuit et ipsum eidem Andree licet sepius requisitus etc. reddere recusauit, in Regis contemptum et predicti Andree graue dampnum etc. et contra ordinationem supradictam etc., vnde dicit quod deterioratus est et dampnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et Robertus per Walterum de Warnham, attornatum suum, venit et defendit vim et iniuriam quando etc. et quicquid etc. et dicit quod quidam Willelmus Bouet quondam tenuit manerium de Totynton et alia maneria etc. de domino Rege etc. et obiit in homagio ipsius domini Regis; post cuius mortem idem dominus Rex seisiuit in manum suam manerium illud etc., et Willelmum, filium et heredem ipsius Willelmi Bouet; et postmodum idem dominus Rex per literas suas patentes custodiam eorundem manerii et heredis etc. dimisit cuidam Michaeli de Ponyngges, tenendam vsque ad legitimam etatem ipsius heredis simul cum maritagio ipsius heredis et idem Michael postmodum eandem custodiam manerii et heredis dimisit predicto Roberto vsque ad legitimam etatem ipsius heredis simul cum maritagio eiusdem heredis et dicit quod predictus Iohannes Bruggere de quo predictus Andreas modo queritur fuit villanus predicti Willelmi Bouet de

¹ MS. Sancti.

manerio predicto et nunc est villanus predicti Willelmi, filii Willelmi heredis etc.; qui quidam Iohannes sic villanus etc. in seruicio ipsius Roberti sic custodis etc. extiterat et a seruicio suo recessit, idem Robertus vt custos predicti heredis sicut predictum est ipsum Iohannem in seruicium suum recepit et reduxit sicut ei bene licuit; et petit iudicium si predictus Andreas iniuriam in ipsum inde assignare possit etc.

Et Andreas dicit quod predictus Iohannes Bruggere non est villanus predicti heredis sicut predictus Robertus placitando allegauit, et de hoc ponit se super patriam et predictus Robertus similiter.

Ideo preceptum est vicecomiti quod venire faciat hic¹ a die Pasche in xv dies xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc.

Case 38.

Y. B., 47 Mich., 24, f. 16.

Briefe Henri Sparke suist un briefe sur le statute de la-
sur le borers devers un home, del reteiner son servant, et
statute fist sa declaracion, que par lou il avera reteinu un
de John at Roe en l'office de carter, del feast de S.
labor- Michel lan xlv. tanques a mesme le feast, en la an
ers 38. prochein, etc. le dit William luy avoit prise hors de
Br. 13. son service, le merdy en le semaine de Penthecost
l'an, a que Tank dit, que mesme cesty que il suppose
que fuit son servant, fuit villain al Abbe de Waltham,
regardant al son manour de Bedford, quel manour il
avera leasse a terme d'ans al defendant longe temps
devant, le quel terme dure uncore, et diomus, que
nous avomus charetrer, et avomus besoigne de son
service, et a mesme le jour, il vient a la lete tenus
le jour, que il ad declaracion, et nous luy resceivou-
mus come nostre servant, judgement si tort.

¹In MS. hic is repeated.

Hasty, pur le plaintife dit, que il fuit frank, et de frank estate, prist.

Et alii è contra.

De Banco Roll, 451.

(No heading to roll.) 47 Edw. III, Trin.

Rot. 230.¹

Essex' Willelmus Whaykrylle attachiatus fuit ad respondendum tam domino Regi quam Henrico Spark de placito quare cum per Regem et consilium suum . . . (retention clause, *cf.* app., 423) predictus Willelmus Iohannem atte Ree, dryuere, nuper seruientem ipsius Henrici in seruicio suo apud Berkyng retentum . . . (identical with app., 423, *mutatis mutandis*).

Et vnde idem Henricus in propria persona sua queritur quod cum predictus Iohannes retentus fuisset cum ipso Henrico apud Berkyng ad deseruiendum ei ibidem in officio carucarii a festo Sancti Michaelis, anno regni domini Regis nunc Anglie quadragesimo quinto, vsque idem festum tunc proxime sequens per vnum annum integrum, idem Iohannes a seruicio ipsius Henrici ante finem termini predicti, videlicet, die Martis in septimana Pasche, anno regni domini Regis nunc Anglie quadragesimo quinto [recessit], prefatus Willelmus eundem Iohannem quamquam etc. in seruicium suum admisit et retinuit, in Regis contemptum et ipsius Henrici graue dampnum et contra formam ordinacionis predicte, vnde dicit quod deterioratus est et dampnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et predictus Willelmus in propria persona sua venit et defendit vim et iniuriam quando etc. et quicquid etc. et dicit quod prefatus Iohannes atte Ree est vilanus abbatis de Waltham Sancte Crucis vt de man-

¹ For beginning of case, *cf.* De Banco, 46, Mich., 66 d, Essex.

erio suo de Wodeford; quodquidem manerium idem abbas eidem Willelmo dimisit ad firmam tenendum ad terminum annorum; quiquidem terminus nondum est elapsus et quia idem Willelmus non habuit seruientes sufficientes pro carucis et carrectis suis infra manerium predictum tentis tenendis, occupandis et fugandis, idem Willelmus eundem Iohannem qui villanus manerii predicti extitit vt predicatur, et potens ad laborandum non habens vnde de suo proprio se occupare potuit, ad deseruiendum ipsi Willelmo infra manerium predictum arestauit, vnde dicit quod ipse non intendit quod aliqua iniuria in hac parte assignari possit etc.

Et predictus Henricus dicit quod ipse per aliqua preallegata ab accione sua predicta repelli non debet, quia dicit quod prefatus Iohannes atte Ree liber est et libere condicionis et non villanus predicti abbatis, prout predictus Willelmus superius allegauit et hoc petit quod inquiratur per patriam, et predictus Willelmus similiter.

Ideo preceptum est vicecomiti quod venire faciat hic in octabis Sancti Michaelis per iusticiarios xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc. Et super hoc Iohannes Lichefeld, Willelmus Wretheman, Robertus Daundeuyle et Iohannes Wroth, iunior, manuceperunt predictum Willelmum habendi corpus eius hic ad prefatum terminum et sic de die in diem ad quemlibet diem placiti quousque iurata predicta inde inter eos transierit et iudicium inde redditum fuerit, videlicet, quilibet eorum corpus pro corpore etc.

Case 43.

Y. B., 50 Mich., 2, f. 21.

John Brid porte briefe de Trespas vers John Do-

Labour- beine, et counta que il avera ove force et armes
ers 42. prise et amesne Thomas Sole et W. Sole son vil-
leins en son service esteant a H. en le counte de
Somerset.

Persay.

Nous diomus que mesme ceux T. et W. viendront a Herflet en le county de Devon', et fueront vagraunts hors de chescun service: et nous a eux profferromus service, et ils fieront covenant ove nous, de nous servir de le feast de S. Michael tanques al feast de Saint Michael prochein ensuant, deins quel temps vous suppose par vostre count, que ils fueront prises et amesnes, deins quel temps vous venustis a Herdflete en le county de Devon', et pristest nostre servants hors de nostre service, et les amenastes en le county de Somerset a Hewiche, a que vous estes, et nous illonques pristomus, come bien a nous list, et demaundomus judgement, si de tiel prise tort en nostre person poies assigne.

Perle.

A ceo diomus nous, que longe temps devant ceo covenant, d'ont vous parles, que nous conus pas, nous commaundomus nostre dits villeins de nous servir bien, l'un en l'office de carver, et l'auter en office de fowlere, et des auters overaignes faire, des queux les seigniour averont mitre, devant a eux certain salary, et certain summe pur vivre et vesture, et que puis nous resceivomus eux come nostre servants et il ad conus le prise de nous a force et armes, per que nous demaundomus judgement, et priomus nostre damage.

Persay.

Et depuis que nous avere allege que ils viendront a nous en le county de Devon' come vagraunts, et fieront covenant ove nous, et fueront en nostre

service, et que vous les prises de nous, en quel case nous entendomus que fuit congeable a nous d'eux reprendre, nous demaundomus jugement, et priomus que vous soies barre.

Belknap.

Si mon villain soit fuiant de mon seigniory, ou en auter county, et illonques soit vagraunt hors de chescun service, il est congeable de chescun de luy faire servir, et devant tanques il soit apprise, que il soit servant a un autre, ou auter villain, il n'est tenus de faire restitution a nul home de luy, et coment que son primer maister, ou son seigniour luy preigne hors de son service sans faire notice a luy, que est son maister, a que il fuit son servant devant, que il est congeable chose pur luy reprendre, et vous n'avere my allege que vous fistes notice, ne que il avera notice de lour person, come de vostre villain, et uncore il ne gist my en notice, ne que ils fueront en ascun service ou nemy, per que il semble que sans allegeance que vous luy fistes notice, ou que ils aver notice en auter maner, que vous n'avere action vers luy.

Notice
B. 2.

Persay.¹

Il avera notice que ils fueront ses ii villeins, prist.

Belknap.

Coment avera il notice, etc. quaere ceo matter.

Fitzherbert, Laborers, 42.

Nota que Belknap dit, si mon villen ale de ma seignorie a vn auter counte, et illonques est vagarant hors de chescun service, il est congeable a chescun home de compel luy de seruer luy tanques il soit apprise que il est auter seruant ou auter villen il nest tenus de faire restitution a nul home de luy, et mesque son prim mester ou seignor luy preigne hors de son seruyce

¹ Apparently an error for Perle.

sauns notice faire a luy que est son mayster deuaunt il est congeable pour luy de luy reprendre, par que les partyes ple-
dent accorde.

Brooke, Notice, 2.

Vide title labores 17 que seignior de villèin ou master que primes reteine seruant, ne eux prende hors dauter seruice sans doner notice al master que ad le seruant in possession. post 4. (21 H. 6, 9). 50 E. 3, 21.

Villénage, 13.

Vide title laborers 17 par Belknap et Persey, seignur ne prendra son villein hors dauter seruice ne mastre son seruant pur former retaynder sans doner notice del villénage ou former retaynder. 50 E. 3, 21.

De Banco Roll, no. 460.

Placita apud Westmonasterium coram R. Bealknapp et sociis suis iusticiariis domini Regis de Banco de ter-
mino Sancti Michaelis, anno . . . quadragesimo nono

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Rot. 302.

Somerset' Iohannes Michel, persona ecclesie de Baunton, Adam Wade, Iohannes Cruse, Robertus Smyth et Iohannes Mannyng, smyth, attachiati fuerunt ad respondendum Simoni Brut de placito quare vi et armis Iohannem Bruere et Walterum Bruere, natiuos ipsius Simonis in seruicio suo apud Huwissh Chaumflour existentes, ceperunt et abduxerunt per quod idem Simon seruicia natiuorum suorum predictorum per magnum tempus amisit et alia enormia ei intulerunt, ad dampnum ipsius Simonis viginti librarum et contra pacem Regis etc.

Et vnde idem Simon per Iohannem Fitelton, atornatum suum, queritur quod predicti Iohannes Michel et omnes alii die Iouis proximo post festum

Pasche anno regni domini Regis nunc Anglie quadragesimo octauo, vi et armis, scilicet gladiis, arcubus et sagittis, Iohannem Bruere et Walterum Bruere, natiuos ipsius Simonis in seruicio suo apud Huwyssh Chaumflour existentes, ceperunt et abduxerunt per quod idem Simon seruicium natiuorum suorum predictorum per magnum tempus, videlicet, a predicto die Iouis vsque festum Sancti Michaelis tunc proxime sequens amisit et alia enormia etc., ad graue dampnum etc. contra pacem etc. vnde dicit quod deterioratus est et dampnum habet ad valenciam quadraginta marcarum et inde producit sectam etc.

Et predicti Iohannes Michel et omnes alii per Hugonem Worthe, attornatum suum, veniunt et defendunt vim et iniuriam quando etc. Et iidem Iohannes Michel, Robertus et Iohannes Mannyng dicunt quod ipsi in nullo sunt culpabiles de transgressionem predicta et de hoc ponunt se super patriam et predictus Simon similiter.

Et predicti Adam et Iohannes Cruse quoad venire vi et armis dicunt quod ipsi in nullo sunt culpabiles, et de hoc ponunt se super patriam et predictus Simon similiter. Et predictus Adam quoad capcionem predicti Iohannis Bruere etc. et prefatus Iohannes Cruse quoad capcionem predicti Walteri non cognoscunt ipsos fore natiuos ipsius Simonis set contrarium verificare pretendendo si etc., separatim dicunt, videlicet, idem Adam quod ipse ad festum Sancti Michaelis anno regni domini Regis nunc Anglie quadragesimo septimo apud Baunton in comitatu Deuon', inuenit eundem Iohannem Bruere ibidem vagantem et extra quodlibet seruicium et similiter predictus Iohannes Cruse quod ipse inuenit ibidem predictum Walterum vagantem et extra quodlibet seruicium, per quod ipsi separatim conuencionem cum eis fecerunt ad deseruiendum eis ibidem

ab eodem festo Sancti Michaelis vsque idem festum tunc proxime sequens et dicunt quod prefatus Simon infra terminum predictum, videlicet, predicto die Iouis quo ipse supponitur transgressionem predictam sibi factam fuisse, venit apud Baunton et eosdem Iohannem Bruere et Walterum extra eorum seruicium vi et armis cepit et abduxit et ipsi eodem die eundem Simonem recenter prosecuti fuerunt vsque Huwyssh Chaumflour in comitatu Somerset' et seruientes suos predictos ceperunt et secum vsque Baunton reduxerunt prout eis bene licuit, absque hoc quod ipsi tunc temporis in seruicio ipsius Simonis fuerunt, et hoc parati sunt verificare vnde petunt iudicium etc.

Et predictus Simon dicit quod ante predictum festum Sancti Michaelis anno regni domini Regis nunc Anglie quadragesimo septimo, retencio cum ipsis Iohanne Bruere et Waltero per preceptum eiusdem Simonis facta fuit ad comorandum et deseruiendum eidem Simoni apud Huwyssh Chaumflour ab eodem festo Sancti Michaelis vsque festum Pentecostes tunc proxime sequens et deinde vsque festum Sancti Michaelis tunc proxime sequens, infra quem terminum iidem Iohannes Bruere et Walterus a seruicio ipsius Simonis recesserunt et a seruicio suo se elongauerunt, per quod ipse eosdem [Iohannem] Bruere et Walterum natiuos et seruientes suos prosecutus fuit, ipsos cepit et ad iudicium suum proprium reduxit et in seruicio suo ibidem retinuit quousque predicti Adam et Iohannes ipsos Iohannem Bruere et Walterum in seruicio ipsius Simonis apud Huwyssh Chaumflour sic existentes vi et armis ceperunt et abduxerunt, et hoc paratus est verificare, vnde petit iudicium etc.

Et predicti Adam et Iohannes Cruse dicunt quod vbi prefatus Simon superius in manutencionem ac-

cionis sue allegauit predictos Iohannem Bruere et Walterum retentos fuisse cum ipso Simone ad deseruiendum ei ante predictum festum Sancti Michaelis anno regni domini Regis nunc Anglie quadragesimo septimo a predicto festo Sancti Michaelis per vnum annum tunc proxime sequentem, iidem Iohannes Bruere et Walterus non fuerunt retenti cum eodem Simone ante predictum festum Sancti Michaelis anno regni domini Regis nunc Anglie quadragesimo septimo, ad deseruiendum eidem Simoni ab eodem festo tunc proxime sequente, prout idem Simon preallegauit, et hoc parati sunt verificare, vnde petunt iudicium etc.

Et predictus Simon dicit quod Iohannes Bruere et Walterus retenti fuerunt per preceptum eis apud Huwyssh Chaumflour factum ante predictum festum Sancti Michaelis anno regni domini Regis nunc Anglie quadragesimo septimo, ad deseruiendum eidem Simoni ibidem ab eodem festo per vnum annum tunc proxime sequentem, prout ipse superius placitando declarauit et hoc petit quod inquiratur per patriam et predicti Adam et Iohannes Cruse similiter.

Octabis
Hillarii. Ideo preceptum est vicecomiti quod venire faciat hic in octabis Sancti Hillarii xii de visneto de Huwysshe Chaumflour per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc.

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VITA

THE author, Bertha Haven Putnam, was born in New York, March 1, 1872. In the autumn of 1889 she entered Bryn Mawr College, where she received the degree of A. B. in 1893. From 1893-95 she taught Latin in the Bryn Mawr School in Baltimore, and from 1895-97 in the Brearley School and in the Misses Eaton and Wilson's private classes in New York.

In 1895 she began her work as a graduate student and candidate for the degree of Doctor of Philosophy under the Faculty of Political Science of Columbia University, her major subject being Sociology and her minor subjects Economics and European History. She took courses with Professor F. H. Giddings, Professor E. R. A. Seligman, Professor J. B. Clark, Professor H. R. Seager and Professor H. L. Osgood, and she attended the seminars of Professor Giddings. In June, 1903, she passed her examinations in her major and minor subjects.

The spring and summer of 1905 she spent in London in research work at the Public Record Office. In April, 1907, she defended her dissertation before the Faculty of Political Science and passed her examinations in languages.

In the spring of 1908 she was appointed instructor in History at Mount Holyoke College for the year 1908-09.

She has published in the *English Historical Review* for July, 1906, an article entitled "The Justices of Labourers in the Fourteenth Century."

